

COOPERATIVE EDUCATION GUIDELINES FOR ADMINISTRATION

HOW TO COMPLY WITH FEDERAL AND STATE LAWS AND REGULATIONS

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Introduction

Cooperative education is a method of instruction that enables students to combine academic classroom instruction (school-based learning component) with occupational instruction through learning on the job (work-based learning component) in a career area of choice. Emphasis is placed on the students' education and employability skills.

Pennsylvania continues to be a leader in this effort through cooperative education. Cooperative education has been a part of both the secondary and postsecondary school programs in Pennsylvania for many years, having its beginning around the turn of the 20th century.

In Pennsylvania, cooperative education is provided for in Chapter 4 of the Pennsylvania State Board of Education Regulations; Academic Standards and Assessment, Section 4.31 (c), which can be found at the following website:

<http://www.pacode.com/secure/data/022/chapter4/chap4toc.html>.

(c) Vocational-technical education programs shall consist of a series of planned academic and vocational-technical education courses that are articulated with one another so that knowledge and skills are taught in a systematic manner. When appropriate, vocational-technical education programs may also include cooperative vocational-technical education and participation in vocational student organizations to develop leadership skills.

Cooperative Education program content is provided for in Chapter 339, Vocational Education, Section 339.22, which can be found at
www.pacode.com/secure/data/022/chapter339/chap339toc.html.

- (1) *Competency-based.* Programs shall have competency-based plans. A competency-based plan is an instructional system that is planned and managed by the teacher based upon occupational analysis and clearly stated performance objectives as recommended by occupational advisory committees that are deemed critical to successful employment. The instructional process shall derive its content from the task performed in each occupation/job and provide for the assessment of student performance on the basis of preset performance standards. Competency-based plans shall include:
 - (i) *Performance objectives.* A vocational education program shall identify performance objectives in accordance with criteria developed by the local education agency in cooperation with the occupational advisory committee. The performance objectives shall consist of the following three parts:
 - (A) The conditions under which the task will be performed – the materials/supplies provided.
 - (B) A description of the task.
 - (C) The standard for how well the task shall be performed.

(4) *Minimum time requirements.*

- (i) The local educational agency may develop vocational education programs for any time length as long as they do not go below the minimums listed in this subsection.

	Representative Planned Course Sequence				Minimum Total Hours
	9th grade	10th grade	11th grade	12th grade	
Four-Year Sequence	2	3	3	3	1320
Three-Year Sequence		3	3	3	1080
Two-Year Sequence			3	3	720
One-Year Sequence				6	720

- (ii) The following requirements shall be considered in planning vocational education programs based on the minimum time requirements listed in subparagraph (i):
 - (A) A planned vocational course shall be equal to 120 clock hours and is equal to one unit of credit.
 - (B) Vocational education credits may be given for hours spent in supervised occupational experience and cooperative and clinical experiences.
 - (C) A minimum of two planned courses shall be operated per year. These two planned courses shall be skilled courses.
 - (D) Sequences shall be offered in consecutive years and the last year of the program will conclude in the twelfth grade.
 - (E) Where necessary to promote the educational program, up to three planned vocational courses may be substituted for the required graduation units of credit set forth in §5.5(b) (Reserved), except that not more than one substitution may be made in a single listed course title and no substitution may be made for the one required unit of credit in health and physical education. The school district shall verify that a relationship exists between the content learned or the skills developed in the approved vocational course and the high school graduation credit for which it is substituted. The substitution shall be reported to the Department under the process for curriculum exceptions set forth in §5.12(a) (Reserved).
 - (F) Options for awarding planned course credit are explained in §5.11 (Reserved).

- (G) This section includes the minimum requirements for a program to be eligible for vocational reimbursement. It is recognized that selected vocational programs may require more than the minimum hours to offer an effective education program.

Cooperative education is also provided for in Chapter 339, Vocational Education, Section 339.29, which can be found at

<http://www.pacode.com/secure/data/022/chapter339/s339.29.html>.

If cooperative vocational education is provided, it shall be planned in accordance with the stated career or occupational objectives of the student and shall include:

- (1) Related learning experiences at a school-approved work station.
- (2) A memorandum of understanding as defined in the Department guidelines, signed by the student, parent or guardian, school official and cooperating employer or representative.
- (3) Payment of the existing legal wage when applicable under section 206 of the Fair Labor Standards Act of 1938 (29 U.S.C.A. § 206) and The Minimum Wage Act of 1968 (43 P. S. §§ 333.101—333.115). [NOTE: *The Pennsylvania Minimum Wage Act, as amended in 2006, establishes a fixed Minimum Wage and Overtime Rate for employees in Pennsylvania. It also sets forth compliance-related duties for the Department of Labor & Industry and for employers. In addition, the Minimum Wage Act provides penalties for noncompliance. See* [*http://www.dli.state.pa.us/landi/cwp/view.asp?a=142&Q=64690*](http://www.dli.state.pa.us/landi/cwp/view.asp?a=142&Q=64690)*].*
- (4) Provision for administration and supervision by school staff members in cooperation with the employer.
- (5) A minimum of one onsite student evaluation by a coordinator for on-the-job activities per month.
- (6) At least 45 minutes per week, or 90 minutes every other week, for students to meet with their vocational instructor to discuss job problems and related information.
- (7) Credit for cooperative vocational education work experience.
- (8) A certified cooperative vocational education instructor coordinating the program.
- (9) Compliance with Federal and State statutes.
- (10) Insurance protection for both the school and students.

The major components of a quality cooperative education program are:

1. Job placements where students perform work related to acquired skills with the opportunity to develop additional competencies and contribute to the productivity of the business organization.
2. Certified cooperative education teacher-coordinators with appropriate occupational experience to provide planned, supervised instruction.
3. Worksite training supervisors who can share occupational expertise with students.

4. Accurate and realistic descriptions of the jobs to be performed by students, as well as realistic employer expectations of the skills the students bring to the job.
5. Individualized, written training plans that are correlated to the students' school-based instruction and on-the-job training (work-based).
6. Evaluations that are formal and informal assessments of the students' progress on the job, including feedback and follow-up to assist students in improving performance.
7. Parents/guardians who have a full understanding of their responsibilities in the program.
8. Assistance with job placement in full-time positions or referrals for additional education for graduates.
9. Follow-up studies of graduates that are conducted in a systematic manner.
10. Instruction in all aspects of the industry the student is preparing to enter, which provides a broad base of knowledge of all facets of the business operation, including management, finances, health and safety.
11. Strong commitment by school administration for the program.

These guidelines were specifically developed to assist administrators and cooperative education teacher-coordinators in complying with federal and state laws and regulations regarding cooperative education. The guidelines address laws, regulations and operational issues that should be followed to ensure an effective work-based learning environment for all students.

National Commission for Cooperative Education

Definition and Essential Characteristics

A national committee of experienced practitioners developed the cooperative education model, which follows. The definition and essential characteristics were approved by the boards of the National Commission for Cooperative Education (NCCE), Cooperative Education Association and the Cooperative Education Division of the American Society for Engineering Education. Also included is a list of anticipated outcomes and five model variations for implementing cooperative education in colleges.

Definition

Cooperative education is a structured educational strategy integrating classroom studies with learning through productive work experiences in a field related to a student's academic or career goals. It provides progressive experiences in integrating theory and practice. Co-op is a partnership among students, educational institutions and employers, with specified responsibilities for each party. These include:

Essential Characteristics

1. Formal recognition by the school as an educational strategy integrating classroom learning and progressive work experiences, with a constructive academic relationship between teaching faculty and co-op faculty or administrators.
2. Structure for multiple work experiences in formalized sequence with study leading to degree completion of an academic program.
3. Work experiences, which include both an appropriate learning environment and productive work.
4. Work experiences related to career or academic goals.
5. Formal recognition of the co-op experience on student records (e.g., grade, credit hours, part of degree requirement, notation on transcript, etc.).
6. Pre-employment preparation for students, as well as ongoing advising.
7. Agreement among the school, employer, parent/guardian* and the student on:
 - a. Job description and new learning opportunities
 - b. Specified minimum work periods (equivalent in length to an academic term (quarter, semester or trimester). In alternating programs, students work approximately 40 hours/week, full-time during the term. In parallel programs, students work approximately 20 hours/week, part-time during the term.
 - c. Work monitored by the school and supervised by employers
 - d. Official school enrollment during employment
 - e. Recognition as a co-op employee by the employer
 - f. Evaluations by the student, the school, and the employer, with guided reflection by the student
 - g. Remuneration for the work performed
8. Provision for employer and school evaluation of quality and relevance of the work experience and curriculum.
9. Designed to maximize outcomes for students, employers and the school.

*In Pennsylvania, the parent/guardian must be included as a key component of the partnership.

Outcomes

Student Outcomes

Academic

Ability to Integrate Classroom Theory with Workplace Practice
Clarity about Academic Goals
Academic Motivation
Technical Knowledge Through Use of State-of-the-Art Equipment

Professional

Clarity about Career Goals
Understanding of Workplace Culture
Workplace Competencies
New or Advanced Skills
Career Management
Professional Network
After-Graduation Employment Opportunities

Personal

Maturity
Determination of Strengths and Weaknesses
Development/Enhancement of Interpersonal Skills
Earnings to Assist College Expenses or to Support Personal Financial Responsibilities
Productive and Responsible Citizenship Skills
Lifelong Learning Skills

Employer Outcomes

Well-Prepared, Short-Term Employees
Flexibility to Address Human Resource Needs
Cost-Effective Long-Term Recruitment and Retention
Access to Candidates with Sought-After Skills and/or Background
Increased Staff Diversity
Partnerships with Schools
Input on Quality and Relevance of School's Curricula
Cost-Effective Productivity

College and University Outcomes

Recruitment of New Students
Retention of Current Students
Wider Range of Learning Opportunities for Students
Enriched Curriculum
Enhanced Reputation in the Employment Community
Improved Rate of Employment of Graduates
Increased Alumni Participation (hire students, contribute money, etc.)
Partnerships with Business, Government and Community Organizations

Increased External Support by Corporations, Foundations and Government Grants

Societal Outcomes

Established Model for Workforce Preparedness

Income Tax Revenue

Reduced Demand for Student Loans

Productive and Responsible Citizens

Industry-Education Partnerships

Developed by NCCE Practitioners Committee. Reproduced by permission from NCCE on January 27, 2007.

Retrieved December 20, 2006, <http://www.co-op.edu/aboutcoop.htm>

Cooperative Education Programs

Cooperative education is a structured method of instruction combining school-based classroom learning with productive work-based learning in an occupation matching the student learner's academic and career objectives. At the secondary level, cooperative education involves a planned partnership with specified connecting activities and responsibilities among students, parent/guardians, schools, employers, labor organizations and government. These specified connecting activities and responsibilities include, but are not limited to, the following:

1. School-based learning activities including career awareness, career exploration and counseling, and the initial selection of a career objective by interested students.
2. Student enrollment in a PDE-approved career and technical education program which facilitates linkages with postsecondary education, a coherent multi-year sequence of instruction and the opportunity for full-time employment.
3. A written training agreement outlining responsibilities and a training plan detailing work-based competencies relevant to the student's career choice.
4. Student learners receive pay comparable to entry-level wage.
5. Supervision, coordination, monitoring and evaluation of student progress and performance between the school-based and work-based learning components are performed by appropriately certified professional school personnel because school credit is to be awarded for this experience. A minimum of one on-site visit per month is required.
6. An employer/employee relationship exists; therefore, all state and federal laws regarding employer/employee relationships are enforced. Particular attention shall be given to the Child Labor Law regarding work permits, working hours, insurance, workers' compensation, safety and hazardous occupations.
7. Cooperative education teacher-coordinators shall complete a training agreement and training plan and receive copies of each student's employment certificate or work permit and proof of workers' compensation before the student is placed at the work site.

Types of Cooperative Education Opportunities

Capstone

Students receiving a cooperative education experience from the specialized areas of career and technical education, including agriculture; business, computer and information technology; family and consumer sciences; marketing education (formerly distributive education); health occupations and trade and industrial education may participate in Capstone. Through cooperative education, these students "cap off" their formal in-school career and technical education with a related employment experience at a school-approved, work-based learning site.

Diversified Occupations

A planned vocational program which may be offered at either the area vocational-technical school or comprehensive high school. The program prepares a heterogeneous

group of students for more than one vocational education area of instruction for gainful employment. The program is a direct relationship/partnership between a local business/industry and the local education agency. Career competency and manipulative aspects of a skill are developed at the job training station site. The school, in a classroom setting, provides related general as well as technical instruction, including safety.

Diversified Occupations programs could include any of the occupational areas defined in Chapter 339.22(a) or other occupational areas not offered at the comprehensive high schools or area vocational technical school. The diversified occupations program shall be available as a 1-year or 2-year program. This program is for 11th and 12th grade students who are unable to gain admission to a vocational program due to excessive applicants, inability to meet entrance requirements for other existing vocational programs or lack of specific vocational areas offered at the comprehensive high school or participating area vocational-technical school.

Through diversified occupations, the students with specific career objectives are matched with a related employment experience while they attend career oriented planned periods of related classroom instruction at the school. Limited technical skill instruction is provided by the school. Thus, the major portion of the technical skill instruction and competencies developed by the student takes place at the work site.

Tech Prep

Tech Prep is a minimum of a four-year sequence of study beginning in at least the 11th grade of high school through two years of postsecondary education, with a strong focus on skills required by the workplace. Tech Prep prepares students for highly skilled technical occupations and allows either direct entry into the workplace as a qualified technician or continuation with further education leading to baccalaureate and advanced degrees. Tech Prep education programs may include multiple work-based experiences.

Career Academies

Career Academies operate as mini schools-within-schools, with each academy having its own special focus. Academies are characterized by the integration of academic and career and technical education courses and collaboration among teachers. Academy students are rostered together and are taught by a team of selected teachers. Classes are generally smaller and, whenever possible, academic class work is taught in context with the student's chosen career area.

Business people and other professionals regularly visit academy classrooms. They also arrange field trips for students to their business facilities. Students learn what it takes to succeed in the workplace from the experts. Depending on the specific program of study and the students' level of achievement, paid work experience may be included as part of the career academy.

Time Needed to Deliver a Cooperative Education Program

Often asked is the question, "How much time should be devoted to teaching, coordinating and supervising cooperative education?" The best answer to this question is another question, "How good do you want your program to be?"

School administrators, as well as cooperative education teacher-coordinators, need to recognize that all good things take time. Therefore, if you are going to enter into a cooperative education program, adequate and appropriate time must be provided for the cooperative education teacher-coordinator to do his or her job. The cooperative education teacher-coordinator will need time to assume added responsibilities in the following areas:

- Delivering a school-based learning component to include academic integration and postsecondary articulation;
- Helping students with their career major and/or career objective;
- Matching students with highly skilled jobs;
- Helping students gain entry into work-based learning;
- Developing broader comprehensive training plans;
- Integrating academic and career and technical education subject matter;
- Fostering greater involvement with industry-education partnerships;
- Working with diverse student populations;
- Providing for transportable skill certification;
- Infusing Tech Prep, community exploration, etc.;
- Becoming involved with work-based mentor training and on-site coordination;
- Explaining all aspects of the industry.

Chapter 339 mandates a minimum of one on-site student evaluation by a coordinator for the on-the-job activities per month. In addition, Chapter 339 requires that programs be designed to provide at least 45 minutes per week or 90 minutes every other week for students to meet with their vocational instructor to discuss job problems and related information.

It is recommended that the administration and the cooperative education teacher-coordinator plan a schedule that will adequately and appropriately address the amount of time needed to provide enrolled and prospective students, as well as cooperating employers, with the best program possible. The time requirement will vary based upon the number of students and employers being served, and should be increased or decreased accordingly. It is also recommended that a minimum of 30 minutes per month be devoted to each work site monitoring visit.

Facilities and Equipment

It is important that adequate classroom space be available for the teaching of general and occupationally specific information to Capstone cooperative education/Diversified Occupations students. The cooperative education facilities should contain areas in

which to store occupational reference books, periodicals and individual student notebooks and study guides. The cooperative education facilities should be comparable to other classrooms at the school.

Special Population Services

Career and technical education provides employment opportunities for many students who are economically disadvantaged, foster children, disabled, limited English proficient, single parent/guardians and individuals who participate in programs preparing for nontraditional training and employment. With current legislation, a greater emphasis must be placed upon accountability within the career and technical education program and developing more fully the academic and career and technical skills of all students who enroll in these programs. The cooperative education program provides an opportunity for special population students to succeed in career and technical education and become gainfully employed.

The cooperative education teacher-coordinator must strive to provide supportive services/strategies as needed. Strategies include:

1. To bring about a thorough understanding of what is expected of students in the classroom and on the job by explaining:
 - a. The training agreement.
 - b. Problems arising in connection with the job.
 - c. The value of the program to students and employees.
2. To introduce areas of information to beginning workers by describing:
 - a. State and federal laws.
 - b. Workers' compensation, unemployment compensation, etc.
 - c. Initial employer expectations – promptness, correct dress, willingness to work, etc.
3. To teach students to use a study guide and other modifications used in connection with work and study.
4. To explain fully how students and their work will be evaluated at school and work.
5. To comply with the Individuals with Disabilities in Education Improvement Act (IDEIA) which requires transition services for students with special needs at the age of 16.

To accomplish the above, the cooperative education teacher-coordinator should incorporate curriculum and/or physical modifications and adaptations appropriate to each student.

Note: Special populations means individuals with disabilities; individuals from economically disadvantaged families, including foster children; individuals preparing for nontraditional training and employment; single parent/guardians, including single

pregnant women; displaced homemakers and individuals with other barriers to educational achievement, including individuals with limited English proficiency. (P.L. 105-332)

Guidelines for Operating Capstone Cooperative Education Programs

Career and technical schools and comprehensive high schools offering PDE-approved career and technical education programs may, in addition, provide Capstone Cooperative Education as a method of instruction that includes an off-campus, occupationally-related experience.

Capstone Cooperative Education shall be planned and implemented as a method to assist students in their transition from school to work; it shall be planned and implemented in accordance with the student's declared career objective and in concert with predetermined, expected academic and occupational learning outcomes.

The program shall include:

1. The employment of a certified cooperative education teacher-coordinator, per Certification and Staffing Policies and Guidelines (CSPG) #37 (July 2004).
2. Performance-based learning outcomes, which are related to the student's career objective, at a school-approved, work-based training site.
3. A training agreement, as defined in these guidelines, signed by the student, parent/guardian, school official and cooperating employer. See Sample Training Agreement on Page 27.
4. A training plan detailing the types of on-the-job, work-based experiences and sequentially anticipated learning outcomes the student will complete. See Sample Training Plans on Pages 29 and 30.
5. Payment of the existing legal wage when applicable under Pennsylvania's Minimum Wage Act, Act 112 of 2006.
6. Provision for adequate and appropriate administration and supervision by a certified cooperative education teacher-coordinator.
7. A minimum of one 30-minute work-site observation and evaluation of a student's performance on the job in conjunction with the employer each month by the cooperative education teacher-coordinator.
8. Capstone Cooperative Education students must meet at least 45 minutes per week, or 90 minutes every other week, with their career and technical education instructor and/or the cooperative education teacher-coordinator to discuss job concerns and receive related instruction.
9. It is recommended that students meet with the cooperative education teacher-coordinator and their assigned technical education instructor to discuss job-related progress and problems and receive additional instruction in order to meet prescribed course outcomes and enhance their performance on the job.
10. Recognition or credit for Capstone Cooperative Education work experience that addresses specific student learner outcomes for graduation.
11. Compliance with federal and state statutes, such as employment of minors, unemployment compensation, workers' compensation and minimum wage.
12. Insurance protection in accordance with school policy.

Related instruction for Capstone Cooperative Education has been designed by cooperative education teacher-coordinators in the field to assist in the development of specific competencies identified in the 37 Capstone Activity Packets (CAPS), which are listed on the following pages. This should be used as a planning guide for related instruction. Individual needs of the students will determine which modules will be used. The CAPS are available from the career and technical education professional development centers at Indiana University of Pennsylvania, the Pennsylvania State University and Temple University, or at the following website:
<http://www.voced.iup.edu/PCEA>.

Pennsylvania Capstone Cooperative Education Related Instructional Guide

The Cooperative Education capstone learning modules will enable you to:

Orientation

1. Identify cooperative education program goals, policies and procedures
2. Describe work ethics
3. Discuss the transition from the classroom to the actual job situation

Human Relations

4. List and evaluate your personality traits to indicate self-understanding
5. List characteristics of a responsible employee
6. Develop and describe positive working relationships with others on the job
7. Demonstrate ways to resolve conflict

Health and Safety

8. Identify appropriate occupational safety practices and procedures
9. Describe the role of government agencies in providing for a safe workplace

Employment Retention

10. List ways you can show interest and enthusiasm on the job
11. List ways to show initiative and assertiveness on the job
12. List techniques for maintaining self-control
13. Explain importance of attendance and punctuality on the job
14. Prioritize your activities as they relate to your job
15. Diagram the organizational structure of your company
16. Interpret the purpose and use of a performance evaluation and complete a self-evaluation
17. Identify source of employee information regarding company policies and procedures
18. Identify proper procedures for job termination
19. List the occupational and leadership requirements to maintain and improve employment at the job

Communications

20. Distinguish between positive and negative feedback; define and give examples of constructive criticism
21. Demonstrate basic skills for both verbal and nonverbal communication
22. Define the elements of communicating with a supervisor
23. Define the elements of communicating with coworkers, emphasizing appropriate group behavior on the job
24. Demonstrate appropriate skills in communicating with the public

Consumer Skills

25. Understand and prepare a sample budget
26. List and describe fringe benefits provided by the employer
27. Describe how to open a checking account, balance a checkbook and apply for a loan
28. Demonstrate the ability to file federal, state and local tax forms

Legal Awareness

29. List the steps in obtaining an employment certificate
30. Describe labor regulations that affect wages, hours and conditions of employment
31. Describe the withholding laws and the benefits provided by Social Security, workers' compensation and unemployment compensation

Future Planning

32. Develop a resume
33. Practice skills needed to be successful in a job interview
34. Discuss the importance to adapt to change
35. Establish short-term goals
36. Establish long-term goals
37. Complete a job application

Guidelines for Operating Cooperative Diversified Occupations Programs

Introduction

The concept of cooperative education is not a new concept. The trends in all areas of career and technical education provide compelling reasons for focusing on work-based learning concepts such as cooperative education to ensure a skilled workforce.

The cooperative education diversified occupations (DO) approach provides the occupational skill training and knowledge acquisition essential to high school students having career objectives that cannot be met by any of the existing in-school career and technical education programs. Through the cooperative DO program, students with specific career objectives are matched with related employment experiences while they attend planned periods of related classroom theory during the school year.

The cooperative education DO program is designed for 11th and 12th grade students who are:

- unable to gain admission to a vocational program due to excessive applicants;
- unable to meet entrance requirements for other existing vocational programs;
- unable to participate in a specific vocational area because it is not offered at the comprehensive high school or participating area vocational-technical school.

NOTE: Diversified Occupations is a program of study with its own Classification of Instructional Program (CIP) Code, 32.0105 (Job Seeking/Changing Skills). Career and Technology Centers and school districts must apply for program approval to the Bureau of Career and Technical Education, if seeking PDE-approved status and reimbursement.

Planning, Organization and Operation of Local Programs

Successful cooperative education DO programs never begin haphazardly. Work-based learning programs are unique in the degree to which the employers in the community are involved. For a meaningful program, employers assist in establishing the curriculum and student training plans. The most successful programs have given special attention to the following items:

1. Employ a certified cooperative education teacher-coordinator. (See CSPG No. 37 – Cooperative Education Certification and Assignment Scope [7-12]);
<http://www.teaching.state.pa.us/teaching/cwp/view.asp?a=131&Q=105885>.

2. Conduct student interest and community interest surveys to determine the need for, and acceptance of, a cooperative education DO program.
3. Select advisory committees that can facilitate the effective operation of a cooperative education DO program.
4. Determine the program cost and method of financing the cooperative education DO program.

Cooperative education DO programs may be offered at a Career and Technology Center or comprehensive high school. When cooperative education DO programs are provided, they are planned in accordance with the student's stated career objective and include:

1. Work-based learning experiences held at a school-approved worksite.
2. A training plan and a training agreement shall be developed with the employer and available on file with both the school and the employer. The training agreement and training plan must be signed by the student, parent/guardian, school official(s) and cooperating employer.
3. School-based, academic and career-specific instruction.
4. One planned course – equal to one unit of credit – of general related theory or technical related content, or both, per year. In order to meet this requirement, the Diversified Occupations student must meet with his/her teacher-coordinator for at least one 40- to 45-minute period per day.
5. Payment of the existing legal wage.
6. Provision for administration, supervision and monitoring by a certified cooperative education teacher-coordinator in cooperation with the employer.
7. Provision of worksite supervision by an experienced person, and the student has had an opportunity to perform a variety of work assignments.
8. A certified cooperative education teacher-coordinator to manage the program.
9. Provision for coordination of worksite activities of at least one-half hour per week per student, including worksite visits and observations, as well as preparation for the related in-school instruction.
10. Students shall be legally employed a minimum of 15 hours a week during the school year. Graduation credits can be awarded for hours worked outside of school hours. In order to be a PDE-approved Career and Technical Education program, refer to Chapter 339 for minimum hour requirements.

11. Students shall be legally employed a minimum of 150 school days to be eligible for PDE reimbursement.
12. Recognition and high school credit for the student's participation in the cooperative education diversified occupations program.
13. PDE-approved Career and Technical Education programs must meet the minimum hour requirements in PA Code, Chapter 339. One-year sequence programs must meet a minimum of 720 hours, and these hours must occur within the school day. These 720 hours can be a combination of related classroom instruction and work experience. Two-year sequence programs must meet the minimum of 360 hours annually.
14. Compliance with Federal and State statutes.
15. Insurance protection for both the school and students.

Secondary Curricula

The following descriptions concern cooperative education DO programs at both Career and Technology Centers and comprehensive high schools (grades 11 and 12).

1. Two-Year Program (Grades 11 and 12)
 - a. Eleventh Grade – School-Based Learning
 - 1) Planned instruction that assures successful student competency in related theory and specific curricular content should include, but not be limited to, the Diversified Occupations Scope of Instruction.
 - 2) Worksite placement of 11th grade students would be prohibited except where this experience is essential to meet the needs of individual students.
 - 3) A specific planned instruction sufficient to cover related theory and specific curricular content to include instruction on school-based and work-based safety and accident prevention.
 - b. Twelfth Grade – School-Based Learning
 - 1) Planned instruction that assures successful student competency attainment in related theory and specific curricular content should include, but not be limited to, the Diversified Occupations Scope of Instruction.

- 2) A minimum of 15 hours of cooperative work-based learning experience is required each week. The specific planned instruction should be sufficient to cover related theory and specific curricular content to include instruction on school-based and work-based safety and accident prevention.
 - 3) It is recommended that students be employed a minimum of 150 school days.
2. One-Year Program (Grade 12)
 - 1) The specific planned instruction should be sufficient to cover related theory and specific curricular content. Refer to Scope of Instruction.
 - 2) A minimum of 15 hours of cooperative work-based experience is required each week. The specific planned instruction should be sufficient to cover related theory and specific curricular content to include instruction on school-based and work-based safety and accident prevention.

Related instruction for Diversified Occupations has been designed by cooperative education teacher-coordinators in the field to assist in the development of specific competencies identified in the 88 Diversified Occupations Co-op Activity Packets (DO CAPS) listed on the following pages. This should be used as a planning guide for related instruction. Individual needs of the students will determine which modules will be used. The CAPS are available from the Career and Technical Education Professional Development Centers at Indiana University of Pennsylvania, the Pennsylvania State University and Temple University, or at the following website: <http://www.voced.iup.edu/PCEA>.

Pennsylvania Cooperative Education Diversified Occupations

Scope of Instruction

General Related Instruction

Orientation

- Program Terms and Definitions
- Program Objectives, Policies, Procedures, Forms, Grading and Expectations
- Career and Technical Education Programs
- Work Ethics
- Introduction to Youth Organizations

Career Development and Planning

- Self-Assessment
- Values Clarification
- Personal Responsibilities
- Individual Development
- Decision Making Skills
- Career Investigations
- Labor Force Trends

Employment Acquisition

- Application Forms and Letters
- Interviews
- Resumes
- Tests

- Employment Agencies/Services
- Job Sources
- Personal Appearance
- Attitudes
- Pennsylvania Office of Employment Security Services

Human Relations

- Human Needs
- Personality Development
- Ethnic Understanding
- Racial Understanding
- Sex Equity
- Managing Conflict
- Employee Organizations (Professional Associations/Unions)
- Employer-Employee Relations
- Getting Along with Co-workers

Health and Safety

- Drugs and Alcohol
- Stress
- Healthful Living

- Occupational Health Hazards
- Personal Safety
- Home Safety
- Job Site Safety
- First Aid

Employment Retention

- Good Worker Attributes Knowledge Skills Attitudes
- Job Changes and Promotions
- Organizational Structure
- Employee Responsibilities

Communications Development

- Listening Skills
- Speaking Skills
- Nonverbal Skills
- Writing Skills
- Telephone Skills

Legal Awareness

- Child Labor Law
- OSHA
- Social Security

- Fair Labor Standards
- Civil Law
- Workers' Compensation
- Equal Opportunity
- Targeted Jobs Tax Credit
- Work Force Investment Board
- Americans with Disabilities Act
- Right-to-Know
- PA Human Relations Act

Youth Organizations

- Public Relations
- Community Service
- Parliamentary Procedures
- Leadership Development
- Citizenship
- Community Involvement
- Community Responsibilities
- School Improvement

Pennsylvania Cooperative Education Diversified Occupations Program

Scope of Instruction (continued)

Technical Related Instruction

Consumer Skills	Literacy Skills	Future Planning	Related Instruction
<ul style="list-style-type: none">• Banking• Credit• Money Management• Taxes (Income, Wages)• Insurance• Investments• Consumer Protection• Wages and Salaries• Fringe Benefits• Methods of Transportation	<p>Literacy Skills</p> <p>Economics</p> <ul style="list-style-type: none">• Entrepreneurship• Economic Systems• Supply and Demand• Organizational Types<ul style="list-style-type: none">Sole ProprietorshipPartnershipCorporation	<ul style="list-style-type: none">• Technological Changes• Technological Advances• Professional Development• Career Changes• Computer Awareness• Short and Long Term Goals• Educational Opportunities• Occupational Opportunities	<ul style="list-style-type: none">• Job Safety• Occupational Terms• Occupational Requirements• Entry-Level Occupational Competencies• Professional and Trade Associations• Further Training Needed• Apprenticeship Programs• Licenses and Permits

General Related Instruction in a cooperative education diversified occupations program encompasses the competencies necessary to succeed as employees in the world of work. Learning activities, based on career planning and development, are generated through classroom group instruction. The curriculum areas include: Career Development and Planning, Employment Acquisition, Human Relations, Health and Safety, Employment Retention, Communications Development, Legal Awareness, Consumer Skill and Economics.

Technical Related Instruction is a cooperative education teacher-coordinator directed individualized method of study that allows each student to obtain theory about an area related to his/her current job or career objective. Cooperative education teacher-coordinators may apply a variety of instructional techniques using the students' training plans as a learning guide.

The students practice and demonstrate their occupational competencies on the job, and reinforce the technical theory through classroom instruction.

Pennsylvania Cooperative Education Diversified Occupations Competencies

A student will be able to:

Orientation

1. Identify program policies and procedures
2. List program objectives
3. Describe work ethics
4. Complete forms
5. List the benefits of career and technical student organizations

Career Development and Planning

6. Construct a profile of personal interests, aptitudes, abilities and values
7. Compare careers in relation to job tasks, work environment, job availability and educational requirements

Employment Acquisition

8. Prepare a resume
9. Prepare a letter of application
10. Complete employment applications
11. Demonstrate job interview techniques
12. Demonstrate job interview/application follow-up activity(ies)
13. List potential employers

Human Relations

14. Analyze human relations in terms of:
 - a. Employer responsibilities

- b. Employee responsibilities
- c. Coworker responsibilities
15. Demonstrate positive decision making skills
16. Identify methods to resolve conflicts
17. Distinguish between positive/negative criticisms
18. Compare the advantages and disadvantages of unions and other employee organizations

Health and Safety

19. Describe the need for safety practice and procedures
20. Identify ways to achieve personal safety
21. Identify general occupational safety practices
22. Demonstrate general first aid procedures
23. Describe the role of government agencies in providing for a safe workplace

Employment Retention

24. Demonstrate the positive attributes of a "good employee"
25. Evaluate job changes and promotions
26. Diagram the organizational structure of a company
27. Interpret a performance evaluation

28. Identify sources of employee information regarding company policies and procedures
29. Summarize proper procedures for job termination

Communications Development

30. Demonstrate listening skills
31. Demonstrate speaking skills
32. Demonstrate nonverbal skills
33. Demonstrate writing skills
34. Demonstrate telephone skills
35. Demonstrate self-assertiveness

Legal Awareness

36. Describe how labor regulations (federal and state) affect employment certificates
37. Describe how labor regulations affect where a student can work
38. Describe how labor regulations affect the time a student can work
39. Describe how labor regulations affect wages
40. List the benefits provided by:
 - Social Security
 - Workers' Compensation
 - Unemployment Compensation
41. Describe the purpose of Equal Opportunity Employment (EOE)
42. Identify major laws that regulate management relations

Pennsylvania Cooperative Education Diversified Occupations Competencies (continued)

Youth Organizations

- 43. List good citizenship activities
- 44. Participate in a leadership activity
- 45. Demonstrate leadership qualities
- 46. Demonstrate parliamentary procedure skills
- 47. Participate in a public relations activity

Consumer Skills

Banking

- 48. Discuss financial institutions
- 49. Demonstrate ability to use basic banking services

Credit

- 50. Describe the function and purposes of credit
- 51. Describe how to use credit wisely

Money Management

- 52. List personal financial goals
- 53. Prepare a budget

Taxes

- 54. Describe the types and function of taxes
- 55. Prepare tax forms of payroll deductions

Insurance

- 56. Describe types and purposes of insurance
- 57. List factors in buying insurance

Consumer Protection

- 58. Identify actions that can be taken for consumer protection

Wages

- 59. Identify types of earnings
- 60. Describe forms of payroll deductions

Fringe Benefits

- 61. Describe various fringe benefits

Economics

- 62. Describe types of business organizations
- 63. Describe the opportunities of entrepreneurship
- 64. Identify major differences in economic systems

Future Planning

- 65. Describe the impact of technological change in the workplace
- 66. List the occupational opportunities at your present skill level

- 67. List short- and long-term career goals
- 68. Develop a plan for professional growth
- 69. Discuss career changes

Technical Related Instruction

- 70. List specific safety rules and identify potential hazards at the job site
- 71. Demonstrate safe work habits and attitudes on the job
- 72. Define the specific occupational terms related to your job
- 73. List your occupational skills
- 74. List the occupational requirements to maintain employment at your job site
- 75. Describe the policies and procedures used by your cooperating employer
- 76. Diagram your company's organizational structure
- 77. Identify technical related resources that correlate with on the job experiences

The above competencies may be arranged according to individual preference. This is not to be a syllabus. The Pennsylvania Department of Education is committed to promoting the adoption and implementation of competency-based career and technical education for all occupational programs. It is suggested that an 80% or better level of mastery be achieved for each competency.

Staffing Requirements

The staffing requirements for cooperative education are noted in Certification and Staffing Policies and Guidelines (CSPG).

The two CSPGs that refer to cooperative education staffing requirements are: CSPG No. 37, Cooperative Education, and CSPG 61, Special Education – Cognitive, Behavior and Physical/Health Disabilities. A person holding a Pennsylvania certificate endorsed for an area of Special Education, and who is engaged in cooperative education activity within a Special Education program also, shall hold certification for Cooperative Education to be qualified for such assignment.

CSPG No. 37 covers the cooperative education certification and assignment scope. It includes the following:

Cooperative Education is the science or art involved in teaching the technical skills, knowledge acquisition and workplace training essential to students. Students with specific career objectives are molded with related employment experiences while they attend planned periods of career related classroom theory.

Grade Level Scope of Certificate

A person holding a valid PA certificate for cooperative education is qualified to plan and teach cooperative education training and courses including work based instruction and training activities in Grades 7 through 12.

Certification Assignment

An educator holding a valid PA certificate for cooperative education is qualified to teach cooperative education programs of study and to provide work placement services for students into selected training agencies in the community, and supervise students at a work-based site.

Special Considerations

Cooperative Education certification requires a pre-existing Pennsylvania Instructional I or II or Vocational Instructional I or II certificate. The certified educator may teach cooperative education courses to special education or gifted students within the scope of the certificate. An educator certified in this field may provide school staff development services regarding their collegial studies/skills, may serve in the role of mentor or advisor and may assist students in understanding the “reading” content area materials related to this subject area.

A person holding an administrative or supervisory level certificate is not qualified, by virtue of such certificate, to perform cooperative education activities.

Cooperative Education Teacher-Coordinator Certification Process

A candidate seeking certification in cooperative education should contact one of the three Professional Development Centers.

Pennsylvania Career and Technical Education Professional Development Centers

Donald Gamble, Director
Indiana University of Pennsylvania
Center for Career and Technical Personnel Preparation
1110 Maple Street
Reschini House
Indiana, PA 15705-1057
Phone: (724) 357-4435
Fax: (724) 357-6200
gamble@iup.edu
<http://www.voced.iup.edu>

Richard A., Walter, Ph.D., Director
Pennsylvania State University
Professional Personnel Development Center
301 J. Orvis Keller Building
University Park, PA 16802
Phone: (814) 863-0804
Fax: (824) 863-7532
raw18@psu.edu
<http://voc.ed.psu.edu/>

Chester P. Wichowski, D.Ed., Associate Director
Temple University
Center for Professional Development
in Career and Technical Education
Ritter Hall, Room 340
1301 Cecil B. Moore Avenue
Philadelphia, PA 19122-6091
Phone: (215) 204-6249
Fax: (215) 204-5154
chet.w@temple.edu
<http://www.temple.edu/education/career-tech>

Training Agreements and Training Plans

Successful cooperative education experiences are the result of planned, relevant experiences for students. The importance of formalizing agreed-upon learning experiences and activities for students cannot be overemphasized. The training agreement and training plan provide the connection between participants and assure a beneficial experience for all involved.

The standards for career and technical education are located in Chapter 339 issued under the Public School Code of 1949. According to the standards, cooperative education shall include “a memorandum of understanding as defined in the Department guidelines, signed by the student, parent/guardian, school official and cooperating employer or representative.” (Chapter 339.29)

A sample training agreement (PDE-4555) and training plan (PDE-4617 and PDE-4617A) are included in this section of the Cooperative Education Guidelines and meet the requirements for a memorandum of understanding.

Training Agreement (PDE-4555)

A training agreement is a statement of fundamental agreements and responsibilities regarding the participation of a student in a work environment that is signed by all participants. The training agreement states the conditions and understandings that the school, student and supervisor agree to when participating in a training program. The training agreement is initiated by the school and reflects a cooperative commitment on the part of the cooperative education teacher-coordinator, employer, parent/guardian, student and school administrator.

The training agreement is essential for a number of reasons:

1. As a planning document, it serves as a management tool for directing various learning experiences.
2. As an information document, it helps employers to appreciate their teaching role and to understand the purpose of the cooperative education program.
3. As a permanent record, it is useful for subsequent placement services and follow-up studies.
4. As a career decision-making document, it builds student satisfaction in fulfilling a prevailing career interest.

The training agreement is a compilation of important information and data relative to the employment of the student. The student, parent/guardian, employer and cooperative education teacher-coordinator should each have a copy of the training agreement when the student begins the training experience.

SAMPLE TRAINING AGREEMENT FOR COOPERATIVE EDUCATION

Pennsylvania Career and Technical Education Regulations and Standards and Pennsylvania and Federal Child Labor Laws Require a Written Training Agreement and Training Plan for Each Student Learner in a Cooperative Education Program.

Student Learner Name _____ PAsecureID _____
Address _____ Telephone _____
Birth Date _____ Age _____ Work Permit No. _____
Student Learner Career Objective _____ Job Title _____
Date of Employment: Beginning _____ Ending _____
High School or CTC/AVTS _____
Address _____ Telephone _____
Training Agency _____
Address _____ Telephone _____
Training Supervisor _____ Telephone _____
Weekly Hours _____ Beginning Rate of Pay _____

EMPLOYER/TRAINING SITE RESPONSIBILITIES:

The employer/training site will adhere to all State and Federal regulations regarding safe working environment and conditions, employment, child labor laws, minimum wages and workers' compensation.

1. The student learner will be given a variety of work assignments and be supervised by an experienced person.
2. A periodic evaluation of job progress will be made by the training supervisor on a rating form provided by the school.
3. The training supervisor will arrange a conference with the coordinator when a trainee problem arises.
4. The training sponsor will provide necessary safety instruction throughout student learner training period.
5. Employer/training site will not employ a student learner to displace a regular worker.
6. Exposure to the hazardous work will be incidental to the student's training and that any such work will be intermittent and under the direct supervision of an experienced, qualified person.
7. The employer is not liable to the unemployment compensation fund for wages paid to the student learner while under the training program. This is provided in Section 4(l)(4)(10)(C) of the Pennsylvania Unemployment Compensation Law.

STUDENT LEARNER RESPONSIBILITIES:

1. The student learner agrees to perform the assigned duties in a loyal manner and work to the best interest of all concerned.
2. The student learner agrees to report job problems to the training supervisor and cooperative education coordinator.
3. The student learner will adhere to company policy; employment may be terminated for the same reasons as regular employees.
4. The student learner must be regular in attendance at school and on the job. If unable to report to work, the student learner will notify the employer and coordinator before the start of the normal workday.
5. The student learner's employment will be terminated upon withdrawal from school.
6. The student learner will report to school for designated meetings and related instruction.
7. The student learner will follow school rules at the work and school sites. Violation of school rules will lead to disciplinary action, which may include termination from employment.

SCHOOL RESPONSIBILITIES:

1. The program is under the direct supervision of a certified cooperative education coordinator.
2. The student learner will receive related instruction and safety instruction from the occupational instructor or the cooperative education coordinator prior to job placement.
3. The cooperative education coordinator will visit the student learner and training supervisor on a regular basis at the training site.
4. The cooperative education coordinator will investigate compatibility of job circumstances with requirements for student learner attainment of advanced standing in an apprenticeship program upon graduation from high school.
5. The school will maintain signed copies of the written training agreement and plan for each student learner participating in the program for three years from the date of enrollment in the program.
6. Student learner transportation, insurance and attendance at school and work will be covered by school policy.

This memorandum is for the purpose of outlining the agreement between the school and employer on the conditions of training to be given a student learner while on the job. We, the undersigned, agree to the conditions and statements in this agreement.

Student Learner	Date	Parent or Guardian	Date
Employer	Date	Principal, CTC/AVTS Director or Designee	Date
Cooperative Education Coordinator	Date		

Employer/Training sites and schools of cooperative education students shall not discriminate in educational programs, activities or employment practices based on race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, union membership or any other legally protected classification. Announcement of this policy is in accordance with state and federal laws including Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

Training Plan (PDE-4617 and PDE-4617A)

A training plan details the who, what, when, where and why of a student's on-the-job training experience. The training plan is an educational plan and, as such, the student receives recognition and school credit(s) for performance in carrying out the plan. The training plan is a document separate from the training agreement. The plan outlines training activities that the student will learn to perform while on the job.

The following principles should be considered in the development and use of a training plan:

1. The plan is individualized with the student's career objective or career interest as its basis.
2. The cooperative education teacher-coordinator, student and employer work as a team to prepare the training plan, which identifies the activities to be performed by the student learner.
3. Safety instruction should be a training activity for each student. Training activities for a student exposed to hazardous occupations must show evidence of planned on-the-job safety instruction.
4. A training plan must be modified during the training experience when conditions warrant.
5. The cooperative education teacher-coordinator and employer agree on the approximate time needed by the student to complete a training activity.
6. The cooperative education teacher-coordinator and employer cooperatively evaluate student performance of each training activity.
7. The cooperative education teacher-coordinator bases program planning, training site visitations and related instructional activities on the training plan.
8. As a working document, the training plan allows the employer and cooperative education teacher-coordinator to evaluate the student's on-the-job placement.

The training plan provides space for student data, training site details, training activities, performance evaluation and signatures of the student, parent/guardian, school official(s) and employer. The student, parent/guardian, employer and cooperative education teacher-coordinator should each have a copy of the completed training plan.

SAMPLE

Training Plan for Cooperative Education

Student Learner _____ Telephone _____ E-Mail _____
Training Agency _____ Telephone _____ E-Mail _____
Training Supervisor _____ Telephone _____ E-Mail _____
Parent/Guardian _____ Telephone _____ E-Mail _____
Signatures: Cooperative Education Teacher-Coordinator _____ Date _____
Training Supervisor _____ Date _____
Student Learner _____ Date _____
Parent/Guardian _____ Date _____

Educational Program:

Student Program Title: _____ Classification of Instructional Program (CIP): _____
Student Career Objective: _____

Student Learner _____ **Date** _____

Employer _____ **Date** _____

Employer/Training sites and schools of cooperative education students shall not discriminate in educational programs, activities, or employment practices based on race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, union membership or any other legally protected classification. Announcement of this policy is in accordance with state and federal laws including Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

SAMPLE
Training Plan for Cooperative Education

Student Learner _____ Telephone _____ E-Mail _____
Training Agency _____ Telephone _____ E-Mail _____
Training Supervisor _____ Telephone _____ E-Mail _____
Parent/Guardian _____ Telephone _____ E-Mail _____
Signatures: Cooperative Ed. Coordinator _____ Date _____
 Training Supervisor _____ Date _____
 Student _____ Date _____
 Parent/Guardian _____ Date _____

Educational Program:

Program Title: _____

Classification of Instructional Program (CIP): _____

Student Learner Career Objective: _____

Competencies to be Developed

(List the competencies the student is to learn on-the-job)

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____

Learning Activities

(Briefly describe what the student will do to master the competencies listed above)

Employer/Training sites and schools of cooperative education students shall not discriminate in educational programs, activities, or employment practices based on race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, union membership or any other legally protected classification. Announcement of this policy is in accordance with state and federal laws including Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

PENNSYLVANIA LAWS RELEVANT TO COOPERATIVE EDUCATION

Laws Relevant To Cooperative Education

There are many state and federal laws that have a significant impact on cooperative education. The cooperative education teacher-coordinator has a moral and professional responsibility to know and understand the special provisions that apply to the employment of students. This section was developed to assist teacher-coordinators in meeting these responsibilities.

By reviewing this section, cooperative education teacher-coordinators will be aware of areas where they may need to take special action, to obtain information or to seek the assistance of other individuals or agencies. This section is not, however, an authoritative nor comprehensive presentation of the laws. Laws and policies constantly change; therefore, it is imperative for cooperative education teacher-coordinators to keep abreast of new developments and changes. For that reason, the Appendix section contains sources of up-to-date information. Teacher-coordinators should also consult their school district's legal counsel whenever questions arise.

In most cases, employers must comply with both federal and state laws. Therefore, cooperative education teacher-coordinators must be knowledgeable about both the federal Fair Labor Standards Act (FLSA) and the Pennsylvania Child Labor Law.

Federal and Pennsylvania Child Labor Laws do not always align. When the two laws differ, the stringent of the two must apply. Indiana University of Pennsylvania has developed a comparison of Federal and Pennsylvania Child Labor Laws. Refer to the Pennsylvania Cooperative Education Website at <http://www.voced.iup.edu/pcea/Frame.asp?url=home.htm>.

Pennsylvania Child Labor Law

What is commonly referred to as the Pennsylvania Child Labor Law is a combination of the Act of 1915, P.L. 286, No. 177, amended September 27, 1984, and P.L. 923, No. 309, of June 23, 1931. These laws are intended to provide for the health and welfare of minors by prescribing the terms and conditions under which these minors may be employed. These laws establish the age limits, hours of employment and the prohibited occupations for students who are residents of the Commonwealth.

The provisions of the Child Labor Law apply to all situations in which an employer-employee relationship exists, including all paid work experience as part of cooperative education. The major provisions of the Pennsylvania Child Labor Law are outlined in these Guidelines. Additional information can be obtained from any Pennsylvania Bureau of Labor Law Compliance office and from the School Services Unit of the Pennsylvania Department of Education,
<http://www.pde.state.pa.us/k12/cwp/view.asp?a=165&Q=105983>.

The Fair Labor Standards Act is the Federal law which contains provisions for the employment of minors, hazardous occupations, minimum wage and overtime.

Cooperative education teacher-coordinators should be aware that the most often cited infraction related to the Child Labor Law regards hours of employment for minors, especially 14- and 15-year olds. These infractions often occur because there are inconsistencies between the state and federal child labor laws. When such inconsistencies exist, the rule as applied is that the most stringent requirements of either body of law will prevail, regardless of whether it is a state or federal mandate.

Therefore, despite the hours of employment for students ages 14 and 15, the guidelines that apply to the employment of 14- and 15-year olds are as follows (from the Child Labor Requirements in Nonagricultural Occupations Under the Fair Labor Standards Act: Child Labor Bulletin 101, Revised 3-01, p. 3) (See <http://www.youthrules.dol.gov>):

Fourteen- and 15-year olds **may not** be employed:

1. During school hours, except as provided in Work Experience and Career Exploration Programs.
2. Before 7 a.m. or after 7 p.m., except from June 1 through Labor Day when the evening hour is extended to 9 p.m. (time is based on local standards; i.e., whether the locality has adopted daylight savings time).
3. More than 3 hours a day on a school day, including Fridays.
4. More than 8 hours a day on a nonschool day.
5. More than 40 hours a week during a nonschool week.

Requirements under the Pennsylvania Child Labor Law (from the Abstract of the Child Labor Law, Rev 3-04, p. 1) are as follows:

During the School Term:

1. Maximum 4 hours on school days,
2. 8 hours on any other day,
3. 18 hours per school week (Monday through Friday), and
4. Only at a time that does not interfere with school attendance.

During Summer Vacation:

1. Maximum 8 hours per day, 44 hours per week.

The Federal guidelines that apply to the employment of 16- and 17-year olds are as follows (Employer's Pocket Guide on Youth Employment: Youth Rules, U.S. Dept. of Labor, p. 4):

Under the FLSA, 16- and 17-year olds may be employed for unlimited hours in any occupation other than those declared hazardous by the Secretary of Labor.

Requirements under the Pennsylvania Child Labor Law (from the Abstract of the Child Labor Law, Rev 3-04, p. 1):

During the School Term:

1. Maximum 28 hours per school week (Monday through Friday), if enrolled in regular day school.
2. Plus 8 additional hours on Saturday and 8 additional hours on Sunday.
3. However, maximum daily hours cannot exceed 8 hours per day.

During Summer Vacation:

1. Maximum 8 hours per day, 44 hours per week.

There are exceptions to the hours of employment for ages 16 and 17. (See Abstract of the Child Labor Law, Rev 3-04, p. 1)

The Child Labor Law also requires all students under the age of 18 to complete an employment certificate or work permit prior to beginning employment (see page 36). The PDE 4565 is an application form that is a prerequisite to the issuance of all employment certificates or work permits, except the Farm or Domestic Service Permit. The designated school district issuing officer has responsibility for approving applications for employment certificates and work permits.

Employment certificates or work permits are required for students to participate in cooperative education. Cooperative education teacher-coordinators should be certain that all students have obtained the necessary employment certificate or work permit prior to being sent to their worksites.

When the school reviews an application for employment certificate, close attention should be given to Section C. If the maximum hours per day or per week are exceeded for 14- and 15-year olds, then a permit should not be issued to the student.

Both the state and federal Child Labor Laws also include a list of prohibited occupations for minors. Student learners may not be involved in any prohibited occupation unless they qualify for one of the stated exceptions.

Pages 43 through 47 contain samples of the employment certificate/work permits used with cooperative education student learners. Contact your high school guidance counselor for official PDE employment forms.

Pennsylvania Child Labor Law
Act of 1915, P.L. 286, No. 177

Excerpts from the Law

A minor between the ages of fourteen and sixteen years may be employed as hereinafter provided in such work as will not interfere with school Attendance: Provided, however, That nothing contained in this section shall be construed as superseding or modifying any provisions contained in section seven of the act to which this is an amendment.

Minors and Hazardous Occupations

No minor under sixteen years of age shall be employed or permitted to work in, or about, or in connection with, any manufacturing or mechanical occupation or process; nor on scaffolding; nor in heavy work in the building trades; nor in stripping or assorting tobacco; nor in any tunnel; nor upon any railroad, steam, electric or otherwise; nor upon any boat engaged in the transportation of passengers or merchandise, nor in operating motor-vehicles of any description; nor in any anthracite or bituminous coal-mine, or in any other mine.

No minor under eighteen years of age shall be employed or permitted to work in the operation or management of hoisting machines, in oiling or cleaning machinery, in motion; at switch-tending, at gate tending, at track-repairing; as a brakeman, fireman, engineer, or motorman or conductor, upon a railroad or railway; as a pilot, fireman, or engineer upon any boat or vessel; in the manufacture of paints, colors or white lead in any capacity; in preparing compositions in which dangerous leads or acids are used; in the manufacture or use of dangerous or poisonous dyes; in any dangerous occupation in or about any mine; nor in or about any establishment wherein gunpowder, nitroglycerine, dynamite, or other high or dangerous explosive is manufactured or compounded: Provided, That minors age fourteen and over may operate power lawn mowing equipment: And provided further, That such minors may be employed in bowling centers as snack bar attendants, porters, control desk clerks and scorer attendants: And provided further, That such minors may work where such chemicals, compound, dyes and acids are utilized in the course of experiments and testing procedures, in such circumstances and under such conditions and safeguards, as may be specified by rule or regulations of the Department of Labor and Industry.

No minor under eighteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, sold, or dispensed; nor in a pool or billiard room: Provided, That male or female minors sixteen years of age and over may be employed and permitted to work that part of a motel, restaurant, club or hotel in which liquor or malt or brewed beverages are not served: And, provided further, That minors sixteen years of age and over may be employed to serve food, clear tables and perform other duties, not to include the dispensing or serving of alcoholic beverages, in any licensed establishment whose sales of food and nonalcoholic beverages are equal to

forty per cent or more of the combined gross sales of both food and alcoholic beverages. Before employing any minor sixteen years of age and over, any establishment licensed by the Liquor Control Board shall furnish to the school district official authorized to issue employment certificates a certification that, for a period of not less than ninety consecutive days during the twelve months immediately preceding the date of application, the sales of food and nonalcoholic beverages by the employer at the licensed premises were equal to or exceeded forty per cent of the combined gross sales of food, nonalcoholic and alcoholic beverages in conformity with the requirements set forth in Regulation 141 of the Liquor Control Board governing the sale of alcoholic beverages on Sunday. Nothing in this section should be construed as prohibiting minors fourteen and fifteen years of age to be employed at ski resorts, golf courses and amusement parks as long as they are not permitted to serve or handle alcoholic beverages and as long as they do not work in any room in which alcohol is being served or stored.

No minor shall be employed or permitted to serve or handle alcoholic liquor in any establishment where alcoholic liquors are sold or dispensed; nor be employed or permitted to work in violation of the laws relating to the operation of motor vehicles by minors.

In addition to the foregoing, it shall be unlawful for any minor under eighteen years of age to be employed or permitted to work in any occupation dangerous to the life or limb, or injurious to the health or morals, of the said minor, as such occupations shall, from time to time, after public hearing thereon, be determined and declared by the Industrial Board of the Department of Labor and Industry: Provided, That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section.

Employment Certificates

All employers shall require the minor to have a valid employment certificate or transferable work permit prior to the commencement of employment. A transferable work permit shall remain in the custody of the minor.

It shall be the duty of every person who shall employ any minor possessing a general or vacation employment certificate to acknowledge, in writing, to the official issuing the same, the receipt of the employment certificate of said minor, within five days after the beginning of such employment. On termination of the employment of any such minor the general employment certificate or vacation employment certificate issued for such minor shall be returned by mail, by the employer, to the official issuing the same, immediately upon demand of the minor for whom the certificate was issued, or otherwise, within five days after termination of said employment. The official to whom said certificate is so returned shall file said certificate and preserve the same. Any minor whose employment certificate has been returned, as above provided, shall be entitled to a new employment certificate upon presentation of a statement from the prospective employer, as hereinabove provided.

Penalty for Violation of the Act

Any person, or agent or manager for any person, who shall violate any of the provisions of this act, or who shall compel or permit any minor to violate any of the provision of this act, or who shall hinder or delay any officer in the performance of his duty in the enforcement of this act, shall, upon conviction thereof, be sentenced to pay a fine, for a first offense, of not less than two hundred (\$200.00) dollars nor more than four hundred (\$400.00) dollars, and, on a subsequent offense, to pay a fine of not less than seven hundred fifty (\$750.00) dollars nor more than one thousand five hundred (\$1,500.00) dollars, or to undergo an imprisonment of not more than ten days, or both, at the discretion of the court.

See <http://www.dli.state.pa.us/landi/CWP/view.asp?a=185&Q=58124>

Interpretation of Section 4 of the Pennsylvania Child Labor Law

Bureau of Labor Law Compliance Directive No. 5A

The following is an interpretation of Section 4 of the Child Labor Law with reference to the working hours for students whose employment is part of a recognized work-based learning program and is supervised by a certified school authority.

Paragraph 1 of Section 4 applies to 16- and 17-year olds, and stipulates that these minors may not work more than six consecutive days, nor more than 44 hours in any one week, nor more than eight hours in any one day. A minor enrolled in a regular day school and working outside school hours is permitted to work 28 hours during a school week, which constitutes five days, Monday through Friday. In addition, the student may work eight hours on Saturday and/or Sunday providing the student does not exceed the 44-hour week and not more than six consecutive days in any one-work week.

For the average student not working on Sunday, it is practically impossible to reach the 44-hour maximum unless there are four vacation days in one school week. When a school week is divided between part school days and part vacation days, the state law is interpreted to permit prorating of the hours in the following manner – add to the 28 hour school week limit for 16- and 17-year olds, four hours for each school vacation day thus:

5 school days	28 hours
4 school days, 1 school vacation day	32 hours
3 school days, 2 school vacation days	36 hours
2 school days, 3 school vacation days	40 hours
1 school day, 4 school vacation days	44 hours

Students in a work-based learning program are released from school for X number of hours per week for the intent purpose of receiving on-the-job training. Therefore, the 28 hours a school week can be added to the hours for released time to come up with a total not to exceed eight hours per day nor more than 40 hours per school week. This, in effect, is saying that from Monday through Friday, the supervised work-based learning program students are legally permitted to work 40 hours, whereas the full day student is limited to 28 hours in that same time period. The maximum is still 44 hours per week, for all students.

Paragraph 2 of Section 4 of Child Labor Law applies to 14- and 15-year olds, and restricts employment before 7:00 a.m. and after 7:00 p.m. of any day; however, from June to Labor Day, they may be employed until 10:00 p.m. A minor enrolled in school and working outside school hours shall not be permitted to be employed in any establishment or in any occupation for more than four hours on a school day, or more than eight hours on any other day, nor more than 18 hours during a week. Hours spent in employment, which is part of a recognized work-based learning program and is supervised by a recognized school authority, must be combined with the hours spent in school and the total may not exceed eight hours a day.

This liberal interpretation of Section 4 more nearly equalized the work hours permitted for students in work-based learning programs and those pursuing the academic or general courses, and great care should be exercised to adhere to these limits, thus students in all programs are limited to the number of hours specified in Section 4 of the Child Labor Law.

Hazardous Occupations Exemptions for Diversified Occupations (DO) Students

The Child Labor Law (43 P. S. §§41-71) Regulations Governing the Employment of Minors in Industry Subchapter B. Employment of Minors in Industry

Student learners - Minors enrolled in a course of study and training in a cooperative vocational training program under a recognized state or local educational authority or in a course of study in a substantially similar program conducted by a private school and employed under a written agreement, which provides the following:

- (i) That the work of the student learner in the occupations declared particularly hazardous shall be incidental to his training.
- (ii) That such work shall be intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person.
- (iii) That safety instructions shall be given by the school and correlated by the employer with on-the-job training.
- (iv) That a schedule of organized and progressive work processes to be performed on the job shall have been prepared. Each such written agreement shall contain the name of the student learner and shall be signed by the employer and the school coordinator or principal. Copies of each agreement shall be kept on file by both the school and the employer.

Source

The provisions of this §11.21 amended June 10, 1977, 7 Pa.B. 1591. Immediately preceding text appears at serial pages (8267) and (8268).

Concern: Are Diversified Occupations students eligible for the student-learner exemption under prohibited occupations?

Answer: To be eligible for the student-learner exemption, students must have **specific** and **adequate** occupational training in school. (Note the student-learner definition above.) As most Diversified Occupations students have had no training and are being placed specifically for the purpose of receiving initial training on the job, they are not eligible for the student-learner exemption.

Definitions

Specific Training – training directly related to the career objective.

Adequate Training – training in one of the six vocational areas normally considered adequate to develop occupational competence.

For more information on Regulations Governing the Employment of Minors in Industry, access the Department of Labor and Industry, Bureau of Labor Law Compliance website at <http://www.dli.state.pa.us/landi/lib/landi/laws-regulations/lrc/r-1.pdf>.

Reviewed by the Pennsylvania Department of Labor and Industry, Bureau of Labor Law Compliance, April 2, 2007.

Pennsylvania Minimum Wage Act/Fair Labor Standards Act

Pennsylvania's Minimum Wage Act of 1968 (P.L. 11, No. 5, as amended, 43 P.S. §333.101.115) and the Federal Fair Labor Standards Act of 1938 (29 U.S.C.A. §206) establish minimum wage and overtime standards, require equal pay for equal work, regardless of sex, and contain certain child labor standards that apply to cooperative education when an employer-employee relationship is established.

Information on Pennsylvania's Minimum Wage can be found at:
<http://www.dli.state.pa.us/landi/cwp/view.asp?a=142&Q=64690>.

Keeping Records

Every employer shall keep a true, accurate and legible record for each employee. The records shall be preserved for a period of three years from date of last entry and shall contain the following information:

- Name
- Home address
- Regular hourly rate of pay
- Occupation
- Time and day that the work week begins
- The number of hours worked daily and weekly
- Total daily or weekly straight time wages
- Total overtime excess compensation for the work week
- Total additions to, or deductions from, wages paid each pay period
- Allowances, if any, claimed as part of the minimum wage
- Total wages paid each pay period
- Date of payment and the pay period covered by payment
- Special certificates for students and learners as set forth in Section 4(b) of the Act (43 P.S. §333.104(b)

Enforcement

The Secretary shall enforce this act, which includes making and revising regulations, which are deemed appropriate to carry out the purposes of this act and to safeguard the established minimum wage rates.

Pennsylvania Worker and Community Right to Know Act

The Pennsylvania Worker and Community Right to Know Act requires that information about hazardous substances in the workplace and in the environment be available to public sector employees and employees of private sector workplaces not covered by the Federal Occupational Safety and Health Administration (OSHA) Hazard Communication Standard, and to all persons living or working in the state.

Students participating in cooperative education in the workplace are covered by this Act and are entitled to information about hazardous substances in their specific work area or workplace. The Pennsylvania Worker and Community Right to Know Act workplace notice can be downloaded from the Department of Labor and Industry website at <http://www.dli.state.pa.us/landi/lib/landi/pdf/pennsafe/pdfs/psf-4-4s.pdf>.

For additional information, contact the Department of Labor and Industry, Bureau of PENNSAFE, Room 155-E, Seventh and Forster Streets, Harrisburg, Pennsylvania 17120; (717) 783-2071; Fax (717) 783-5099.

Pennsylvania Workers' Compensation Act

Workers' Compensation is an employer-financed, no-fault insurance that compensates employees who have been disabled due to a work-related injury or disease. The passage of Act 44, Workers' Compensation Reform Act of 1993, and Act 57, Reform Act of 1996, have led to major reductions in employer insurance rates while encouraging employers to provide safer working environments.

Nearly every Pennsylvania worker is covered by the PA Workers' Compensation Act. Employers must provide workers' compensation (WC) coverage for all of their employees, including seasonal and part-time workers.

Cooperative education teacher-coordinators should remind students participating in cooperative education that they should immediately report any injury or work-related illness to their worksite supervisor to ensure they will receive any eligible benefits under the Workers' Compensation Act. **A copy of the declaration page of the Workers' Compensation policy should be on file in the cooperative education teacher-coordinator's office.**

Anyone who commits fraud may be subject to civil or criminal penalties. Reports of workers' compensation fraud should be directed to the Pennsylvania Insurance Fraud Prevention Authority.

The Department of Labor and Industry, through the Bureau of Workers' Compensation, is responsible for the administration and maintenance of this program.

Retrieved March 13, 2007 from

<http://www.dli.state.pa.us/landi/lib/landi/laws-regulations/wc/wcact.pdf>

Pennsylvania Human Relations Act

Pennsylvania Human Relations Act of 1955, P.L. 744, No. 222 as amended July 12, 1996 by Act 117 of 1996 prohibit certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin by employers, employment agencies, labor organizations and others as defined in the Act. It also authorized the Human Relations Commission to adopt guidelines as a prevention tool to help assure that everyone in Pennsylvania can work in an environment from unsolicited and unwelcome sexual advances. Although complaints of sexual harassment will be decided by the Commission on a case-by-case basis, the guidelines outlined below have been designed to help employers and employees understand how the Commission will make such decisions.

The following are Pennsylvania Human Relations Commission sexual harassment guidelines retrieved January 2, 2007, from
http://sites.state.pa.us/PA_Exec/PHRC/legal/harassement_guidlines.html.

- (a) Harassment on the basis of sex is a violation of the Pennsylvania Human Relations Act. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
- (b) In determining whether alleged conduct constitutes sexual harassment, the Commission will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the legality of a particular action will be made from the facts, on a case-by-case basis.
- (c) Applying general Title VII and Pennsylvania Human Relations Act principles, an employer, employment agency, joint apprenticeship committee or labor organization (hereinafter collectively referred to as 'employer') is responsible for its acts and those of its agents and supervisory employees with respect to sexual harassment regardless of whether the specific acts complained of were authorized or even forbidden by the employer and regardless of whether the employer knew or should have known of their occurrence. The Commission will examine the circumstances of the particular employment relationship and the job functions performed by the individual in determining whether an individual acts in either a supervisory or agency capacity.
- (d) With respect to conduct between fellow employees, an employer is responsible for acts of sexual harassment in the workplace where the employer (or its agents or supervisory employees) knows or should have known of the conduct, unless it can show that it took immediate and appropriate corrective action.

(e) An employer may also be responsible for the acts of nonemployees, with respect to sexual harassment of employees in the workplace, where the employer (or its agents or supervisory employees) knows or should have known of the conduct and fails to take immediate and appropriate corrective action. In reviewing these cases the Commission will consider the extent of the employer's control and any other legal responsibility, which the employer may have with respect to the conduct of such nonemployees.

(f) Prevention is the best tool for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under Title VII and the Pennsylvania Human Relations Act, and developing methods to sensitize all concerned.

(g) Other related practices: Where employment opportunities or benefits are granted because of an individual's submission to the employer's sexual advances or requests for sexual favors, the employer may be held liable for unlawful sex discrimination against other persons who were qualified for but denied that employment opportunity or benefit.

(Pa. B. Dec. No. 81-201. Filed January 30, 1981)

For more information on the Pennsylvania Human Relations Act, visit the Pennsylvania Human Relations Commission website at <http://www.phrc.state.pa.us/index.html>.

Tort Liability

Tort of Negligence is the act of unintentionally committing harm to the person or property of another.

Four Elements of Negligence:

1. Duty (teachers have a duty to exercise care in the supervision of students);
2. Breach of Duty (negligent supervision is a breach of duty);
3. Injury (a teacher's negligent supervision must be the proximate cause for the injury) and
4. Damages (can be monetary, pain and suffering, future earnings, etc.).

Tort Liability and Public School Teachers:

- A. At one time, public school systems enjoyed sovereign immunity.
- B. From 1973-1978, school districts became subject to liability for ordinary negligence.
- C. In 1978, the Political Subdivision Tort Claims Act was passed (42 Pa. C.S.A. §8541), which restored immunity except in eight specific circumstances. Thus, school districts (and other political subdivisions) are not immune from liability, if a plaintiff can demonstrate negligence in any one of the following areas:

1. The operation of a motor vehicle;
2. The care, custody or control of personal property;
3. The care, custody or control of real property;
4. A dangerous condition of trees, traffic signs, lights or other traffic controls or street lighting systems;
5. A dangerous condition of the facilities or steam, sewer, water, gas or electric systems;
6. A dangerous condition of streets;
7. A dangerous condition of sidewalks and
8. The care, custody or control of animals.

Damages and Employee Liability:

- A. Damages arising from the same occurrence are limited to \$500,000 in the aggregate.
- B. The Act requires the employer to indemnify an employee of a public school district, provided the employee has given timely written notice to the district and the employee was acting within the scope of his/her employment at the time of the accident. In addition, the district must either defend or pay for the cost of defense of the employee.
- C. Where employee's conduct constitutes a crime, fraud, malice or willful misconduct, the individual will assume liability and the district will enjoy immunity.

Caution: Negligence can rise to the level of willful misconduct. Thus, if the district successfully argues that negligence was actually willful (or outside the scope of employment), the district escapes liability and the employee assumes liability.

Mandatory Postings for Pennsylvania Employers

Pennsylvania employers are required to post certain notices in their worksites so employees have access to and information about applicable labor laws. These posters can be downloaded for free from the links below. Each poster link identifies the content of the poster, which employers are required to post it and contact information should you require additional information.

All notices must be posted in a conspicuous place so that they can be seen and read by employees. Failure to post notices can result in stiff penalties and possible fines. In addition to the notices listed below, all government agencies and private employers with government contracts over \$25,000 are required to publish and post an anti-drug policy statement in accordance with the Drug-Free Workplace Act of 1988.

In addition to the notices listed below, all government agencies and private employers with government contracts over \$25,000 are required to publish and post an anti-drug policy statement in accordance with the Drug-Free Workplace Act of 1988.

State Required Employee Notices

NOTICE	POSTING REQUIREMENTS	HOW TO OBTAIN NOTICE
Abstract of the Pennsylvania Child Labor Law Form No. LLC-5	All PA Employers of Minors	Department of Labor & Industry Labor Law Compliance (717) 787-4671
Hours of Work for Minors Under Eighteen Form No. LLC-17	All PA Employers of Minors	Department of Labor & Industry Labor Law Compliance (717) 787-4671
Minimum Wage Law Poster and Fact Sheet Form No. LLC-1 (html) More Minimum Wage Information	All PA Employers	Department of Labor & Industry Labor Law Compliance (717) 787-4671
Abstract of Equal Pay Law Form No. LLC-8	All PA Employers	Department of Labor & Industry Labor Law Compliance (717) 787-4671
Pennsylvania Right to Know Law Form No. PSF-4/4S	Public Employers (State, County, Township, etc.)	Department of Labor & Industry PENNSAFE (717) 783-2071
Unemployment Compensation Form No. UC-700	All Employers (Public)	Department of Labor & Industry UC Benefits & Allowances (717) 783-3140
Compensacion Por Desempleo Form UC-700(ESP)	All Employers (Public) <i>(To be posted for Spanish-speaking employees.)</i>	Department of Labor & Industry UC Benefits & Allowances (717) 783-3140
Unemployment Compensation for State Employees Form UC-700A	State Government Employers	Department of Labor & Industry UC Benefits & Allowances (717) 783-3140

NOTICE	POSTING REQUIREMENTS	HOW TO OBTAIN NOTICE
Workers' Compensation Insurance Posting <u>Form No. LIBC-500</u>	All PA Employers	Your Insurance Carrier or Department of Labor & Industry Workers' Compensation (717) 783-5421
<u>Employment Provisions of the PA Human Relations Act</u> <u>Public Accommodations Provisions</u> <u>Fair Lending Practices</u> <u>Fair Housing Practices</u>	<u>Click here for specific requirements.</u>	<u>Pennsylvania Human Relations Commission</u> (717) 772-2845

If you would like to request copies of these posters to be mailed to you from the Pennsylvania Department of Labor & Industry, please call (717) 783-8794.

Retrieved May 14, 2007, from PA Labor & Industry Website:

<http://www.dli.state.pa.us/landi/cwp/view.asp?a=125&Q=63528&landiPNavCtr=|1065|#1309&dsftns=3432>

PENNSYLVANIA EMPLOYMENT CERTIFICATES

APPLICATION FOR EMPLOYMENT CERTIFICATE OR TRANSFERABLE WORK PERMIT

PDE – 4565 (10/91)

Date of Application _____

Certificate/Permit Number _____

Date Issued _____

A. To be completed by issuing officer

Name of Minor	Sex _____ Color of Hair _____ Color of Eyes _____	Signature of Issuing Officer
Any Distinguishing Physical Characteristics	School District – Name and Address	
Place of Residence	Evidence of age accepted and filed. Evidence shall be required in the order designated. Cross out all but the one accepted. a. Transcript of birth certificates b. Baptismal certificate or transcript c. Passport d. Other documentary evidence e. Affidavit of parent or guardian accompanied by physician's statement of opinion as to the age of the minor	
Date of Birth		
Month	Day	Year

B. To be completed by parent, guardian, or legal custodian in presence of issuing officer

I, the parent, guardian or legal custodian of the above named minor, request the issuance of an employment certificate as indicated below:

Mark only one

General Employment Certificate Transferable Work Permit (in lieu of General Employment Certificate)

Vacation Employment Certificate Transferable Work Permit (in lieu of Vacation Employment Certificate)

Signature of parent, Guardian or Legal Custodian

Name and Address of Parent, Guardian or Legal Custodian

Commonwealth of Pennsylvania – Department of Education

C. To be completed by prospective employer

The undersigned expects to employ the minor as _____ in the industry of _____
(type of work) (kind of industry)

The minor will work during such times and in accordance with the maximum hours permissible by law as established by Section 4 and 12 of the Child Labor Law, Act of May 13, 1915, P.L. 286: No. 177, as amended.

*Hours of employment- Ages 14 and 15	Hours of employment – Ages 16 and 17	Employer: Within the limitations as identified in "Hours of Employment", please fill in the following: Sun Mon Tues Wed Thurs Fri Sat _____ hrs. _____ hrs. _____ hrs. _____ hrs. _____ hrs. _____ hrs.
Maximum 3 hours on school days Maximum 18 hours per week Maximum 8 hours on nonschool days Maximum 40 hours per nonschool week	Maximum 8 hours on any given day Maximum 28 hours (Mon. – Fri.). Plus an additional 8 hours on Saturday and an additional 8 hours on Sunday Maximum 44 hours per week	Maximum hours: per day _____ per week _____
Summer Vacation	Summer Vacation Maximum 8 hours per day, 44 hours per week	Name, address and telephone number of employer: _____ _____ _____
Night Work	Night Work School Term: May not work after midnight Sunday through Thursday or before 6 a.m. any day. Exception: Preceding nonschool day 1 a.m. No limits during summer	Zip _____ Signature of Owner or Manager _____
*Federal Law		

D. To be completed by examining physician, certified nurse practitioner or certified registered nurse practitioner employed by the board of school directors, by the minor's family physician or by a physician designated by the prospective employer.

I hereby certify that the minor named on this form has been thoroughly examined and

Is physically qualified for the employment specified in the statement of the prospective employer.

Is physically qualified for the period of _____, after which time a new examination is required.

Is physically qualified with the following limitations:

Signature of Examiner

Address of Examiner

GENERAL EMPLOYMENT CERTIFICATE NO _____

Issued only for a minor between 16 and 18 years of age who has complied with the requirements of the Child Labor Law. Seventeen-year-old minors who have graduated from a senior high school or who reached their academic potential do not need a General Employment Certificate (Act 49, approved April 25, 1968).

PARENT OR GUARDIAN OF MINOR	DATE OF BIRTH OF MINOR			FIRST NAME OF MINOR	LAST NAME OF MINOR
	Mo.	Day	Year		
RESIDENCE OF PARENT OR GUARDIAN			RESIDENCE OF MINOR		
KIND OF EVIDENCE OF AGE ACCEPTED AND FILED					
PLACE OF BIRTH – COUNTRY			SIGNATURE OF MINOR		
DESCRIPTION OF MINOR (INDICATE BY X) SEX: Male Female EYES: Dark Brown Light Brown Blue Gray Black HAIR: Black Brown Blonde Red					
Other Distinguishing Physical Characteristics					

Know all men and that I, being the person duly authorized by law to issue employment certificates, hereby certify that the above-named minor personally appeared before me and has been examined and has presented all the credentials required by the Child Labor Law, that these credentials have been approved and filed in this office, that this certificate is approved by me and has been signed by the minor in my presence.

This certificate authorizes _____ (Employer) _____ (Address)
 to employ the above-named minor in accordance with the provisions of the law in the capacity of _____
 (Occupation of Minor)
 at _____ (Official Address of Issuing Officer) _____ (Signature of Issuing Officer)
 Issued }
 on _____ 20_____ in _____ (School District) _____ (Official Title)

PDE 4612 (10/91)

IMPORTANT: This certificate does not authorize employment contrary to the provisions of the Fair Labor Standards Act.

Commonwealth of Pennsylvania
Department of Education

EMPLOYER – TAKE NOTICE

1. While the minor is in your employ, this certificate must be kept on file in your establishment, accessible for inspection as authorized by law.
2. When the minor leaves your employ, this certificate must be returned by mail to the issuing official immediately upon demand of the minor or otherwise within five days after the termination of the employment of the minor.
3. If the minor fails to enter your employ, this certificate must be returned by mail to the issuing official within five days.
4. This certificate is valid only in the hands of the employer named, for the occupation herein designated. In order to change the general nature of the occupation of the minor while in your employ a new Employment Certificate must be procured.
5. The minor herein named shall not be permitted to work more than 44* hours per week, nor more than 8 hours per day, nor more than 5 hours continuously without an interval of at least 30 minutes for lunch, nor more than 6 days unless specifically excepted under the Child Labor Law.
6. Every person employing minors under 18 years of age shall post in a conspicuous place where such minors are employed:
 - A. A printed abstract of the Child Labor Law.
 - B. A schedule listing each minor employed and giving the maximum hours of labor per day and per week of each. (Copies of the abstract and schedule forms, as well as information on State minimum wage rates, may be obtained from the Bureau of Labor Standards. Hours and Wages, Pennsylvania Department of Labor and Industry.)
7. Any person, or any agent or manager for any person, who shall violate any of the provision of this act, or who shall compel or permit any minor to violate any provision of this act, or who shall hinder or delay any officer in the performance of his duty in the enforcement of this act, shall, upon conviction thereof, be sentenced to pay a fine, for a first offense, of not less than one hundred (\$100) dollars nor more than three hundred (\$300) dollars, and on a subsequent offense to pay a fine of not less than two hundred fifty (\$250) dollars nor more than one thousand (\$1,000) dollars or to undergo an imprisonment of not more than ten days, or both, at the discretion of the court. Federal law imposes up to \$10,000 in fines.
8. "All Employment Certificates shall be issued only on forms supplied by the Secretary of Education" – Section 18, Act 177, Approved May 13, 1915.

*The Federal Fair Labor Standards Act affecting interstate commerce requires overtime pay of time and one-half the employee's regular rate of all hours over 40 hours a week.

GENERAL EMPLOYMENT CERTIFICATE CONTINUED

No. _____ General Employment Certificate

Highest Grade Completed _____

Name of Minor _____

Date Issued _____ Date of Birth _____

Evidence of age accepted. Cross out all but the one accepted.

(a) (a) _____ Birth Certificate

(b) Baptismal Certificate

(c) Passport

(d) Other documentary evidence (other than a school record)

(e) Affidavit of parent or guardian accompanied by physician's statement of opinion as the age of minor.

Name of Employer _____

To Issuing Officer: Be sure to place your name and address where indicated on the attached receipt before mailing it with the General Employment Certificate to the employer.

RECEIPT

General Employment Certificate No. _____

To be filled in by Employer:

This is to certify that the General Employment Certificate of

Name of Minor _____

Address of Minor _____

has been received by me, has been properly filed for inspection and said minor began work _____, 20 _____

Name of Firm _____

Signature of Member, Supt. or

Mgr. _____

Address of Firm _____

Date _____

Employer – Detach and return this receipt within five days to Issuing Officer whose name and address appear below.

To be filled in by Issuing Officer:

1. Date certificate was issued _____, 20 _____

2. Name of school district _____

3. Name of issuing officer _____

4. Address _____

PDE-4566 (12/89)

TRANSFERABLE WORK PERMIT

Class of certificate (mark one only) Number _____

General Employment _____ Date Issued _____

Vacation Employment _____

Issued to a minor between 16 and 18 years of age under the provision of the Child Labor Laws, as amended.

Name of Minor _____

Signature of Minor _____

Place of Residence _____

_____ Zip _____

Description of Minor

Place of Birth _____

(city)	(state)	(country)
Mo.	Day	Year

(sex) (color of eyes) (color of hair) (date of birth)

Other distinguishing characteristics and physical limitations _____

Issuing Officer

I hereby certify that all the requirements of law for issuing a Transferable Work Permit has been fulfilled and that the above named minor has been signed this permit in my presence.

Signature of Issuing Officer _____

Official Title _____

School District Name and Address _____

_____ Zip

EMPLOYER INSTRUCTIONS

- A. Any employer, employing a minor having a Transferable Work Permit shall, within five days of commencement of such employment, provide the school district issuing that permit with the following information in writing:
 1. Permit number
 2. Name and age of employee
 3. Number and hours per day and week minor will work
 4. Character of employment
- B. Any employer, employing minors having Transferable Work Permits shall maintain a record of minors in their employ.
 1. A photocopy of the transferable Work Permit may be used for such records.
 2. The Transferable Work Permit shall remain in the custody of the minor employee.

Note to Minor Holding this Permit:

1. When applying for employment, make sure the employer has access to the information contained on this permit.
2. Allow the employer to make a photocopy of this permit if he/she wishes.
3. The permit must be returned to you and you should carry it on your person when you are working.

Class of Certificate

1. General Employment – Entitles a minor, 16 to 18 years of age, to work during the entire year and at any time of the day to a maximum of eight hours per day and 44 hours per week.
2. Vacation Employment – Entitles a minor, 16 to 18 years of age to work on any day except at such times when a minor is required to attend school. (Minors under 16 years of age may not be issued a Transferable Work Permit).

Note Issuing Officers: Please mark the proper class of certificate (General or Vacation) on the face of this permit.

PDE 4502 (10/91) VACATION EMPLOYMENT CERTIFICATE

Number _____

Date Issued _____

Vacation employment certificates shall entitle a minor, twelve to fourteen years of age, to work as a caddy and a minor, fourteen to eighteen years of age, to work as provided for the Child Labor Law, as amended. The minor may work on any day except at such times on such days as such minor is required to attend school.

Note: Specific provisions vary depending on the age of the minor. This certificate is valid only for the employer named and the occupation designated hereon.

Name of Minor	Signature of Minor		
Place of Residence	Date of Birth		Place of Birth – City, State
	Month	Day	Year

DESCRIPTION OF MINOR

Sex _____ Color of Eyes _____ Color of Hair _____
Any distinguishing physical characteristics _____

Name and Address of Employer	Nature of Occupation of Minor
------------------------------	-------------------------------

I hereby certify that the above-named minor appeared before me and has been examined; that all the papers required by law have been duly examined, approved and filed; that all the conditions and requirements for issuing a vacation employment certificate have been fulfilled and that the minor has signed this certificate in my presence.

Signature of Issuing Officer _____ School District – Name, Address and Telephone _____

Official Title

COMMONWEALTH OF PENNSYLVANIA – DEPARTMENT OF EDUCATION

EMPLOYER INSTRUCTIONS

1. Within five days of receipt of the Vacation Employment Certificate, the employer must acknowledge such receipt, in writing, to the school district issuing the certificate. The receipt attached to the certificate should be completed and returned to satisfy this requirement.
 2. During the time period the minor is employed, this permit must be kept on file and be accessible to any attendance officer, deputy factory inspector or other authorized inspector or officer charged with the enforcement of the Child Labor Law.
 3. Upon termination of employment of the minor, the employer shall return the certificate by mail to the school district issuing the certificate immediately upon demand of the minor for whom the certificate was issued, or otherwise, within five days after termination of the minor's employment.

4. *Hours of employment – Ages 14 and 15

School Term: Maximum 3 hours on school days
 Maximum 18 hours per week
 May not work after 7 p.m. or before 7 a.m.

Summer Vacation: Maximum 8 hours per day
 40 hours per week.
 May not work before 7 a.m. or after 9 p.m.

***Federal Law**

FEDERAL LAWS RELEVANT TO COOPERATIVE EDUCATION

Employment Relationships

Before the provisions of the Fair Labor Standards Act apply to a person's employment, an employer-employee relationship must exist. An employment relationship requires an "employer" and "employee," and the act or condition of employment. The courts have made it clear that an employment relationship under the Fair Labor Standards Act is broader than the traditional common law concept of master and servant. The difference between an employment relationship under the Fair Labor Standards Act and one under the common law arises from the fact that the term "employ" as defined in the Fair Labor Standards Act includes "to suffer or permit to work." Mere knowledge by an employer of work done for him or her by another is sufficient to create an employment relationship under the Fair Labor Standards Act.

Employment Relationship of Trainees

The Supreme Court has held that the words "to suffer or permit to work," as used in the Fair Labor Standards Act (FLSA) to define "employ," do not make all persons employees who, without any express or implied compensation agreement, work for their own advantage on the premises of another. Whether trainees or students are employees of an employer under the FLSA will depend upon all of the circumstances surrounding their activities on the premises of the employer. If **all** of the following criteria apply, the trainees or students **are not** employees within the meaning of the Act:

1. The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in a career and technical school;
2. The training is for the benefit of the trainees or students;
3. The trainees or students do not displace regular employees, but work under close supervision;
4. The employer that provides the training receives no immediate advantage from the activities of the trainees or students and, on occasion, his operations may even be impeded;
5. The trainees or students are not necessarily entitled to a job at the conclusion of the training period and
6. The employer and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in training.

For more information on the Employer-Employee relationship, see the Employment Relationship Under the Fair Labor Standards Act at
<http://www.voced.iup.edu/pcea/Frame.asp?tab=resources&url=Resources>.

The Americans with Disabilities Act (ADA)

The American Disabilities Act (ADA) Public Law 336 of the 101st Congress, enacted July 26, 1990, prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation and telecommunications. It also applies to the United States Congress.

Title I requires employers with 15 or more employees to provide qualified individuals with disabilities an equal opportunity to benefit from the full range of employment-related opportunities available to others. For example, it prohibits discrimination in recruitment, hiring, promotions, training, pay, social activities and other privileges of employment. It restricts questions that can be asked about an applicant's disability before a job offer is made, and it requires that employers make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless it results in undue hardship. Religious entities with 15 or more employees are covered under Title I.

To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

The term "qualified individual with a disability" means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires. For the purposes of this subchapter, consideration shall be given to the employer's judgment as to what functions of a job are essential, and if an employer has prepared a written description before advertising or interviewing applicants for the job, this description shall be considered evidence of the essential functions of the job.

All provisions of the ADA must be followed in the placement of students in cooperative education. If a cooperative education student believes that an employer is engaging in employment discrimination on the basis of disability, or they wish to request an accommodation, they should contact the local field office of the U.S. Equal Employment Opportunity Commission.

Retrieved March 13, 2007, <http://www.usdoj.gov/crt/ada/cguide.htm>

Federal Required Employee Notices

Some of the statutes and regulations enforced by agencies within the Department of Labor require that posters or notices be posted in the workplace. The Department provides electronic copies of the required posters and some of the posters are available in languages other than English.

Please note that posting requirements vary by statute; that is, not all employers are covered by each of the Department's statutes and thus may not be required to post a specific notice. For example, some small businesses may not be covered by the Family and Medical Leave Act and thus would not be subject to the Act's posting requirements. For information on coverage, visit the Employment Laws Assistance for Workers and Small Business (elaws) Poster Advisor. You may also contact the Office of Small Business Programs, for assistance with these notice requirements.

To obtain posters, or for more information about poster requirements or other compliance assistance matters, you may contact the U.S. Department of Labor by telephone at 1-888-9-SBREFA or by email at Contact-OSBP@dol.gov.

U.S. DEPARTMENT OF LABOR WORKPLACE POSTER REQUIREMENTS FOR SMALL BUSINESSES AND OTHER EMPLOYERS

POSTER	WHO MUST POST	CITATIONS / PENALTY	OTHER INFORMATION
<u>JOB SAFETY AND HEALTH PROTECTION</u> Occupational Safety and Health Administration. 29 USC 657(c), 29 CFR 1903.2 <u>En Español</u>	Private employers engaged in a business affecting commerce. Does not apply to federal, state or political subdivisions of states.	Any covered employer failing to post the poster may be subject to citation and penalty.	Employers in states operating OSHA-approved state plans should obtain and post the state's equivalent poster.
<u>EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW</u> Employment Standards Administration, Office of Federal Contract Compliance Programs. Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended; 38 U.S.C. 4212 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended; 41 CFR Chapter 60-1 .42; 41 C.F.R 60-250.4(k); 41 C.F.R. 60-74 1.5(a)4 <u>En Español</u>	Entities holding federal contracts or subcontracts or federally assisted construction contracts of \$10,000 or more; financial institutions which are issuing and paying agents for U.S. savings bonds and savings notes; depositories of federal funds or entities having government bills of lading.	Appropriate contract sanctions may be imposed for uncorrected violations.	Post copies of the poster in conspicuous places available to employees, applicants for employment, and representatives of labor organizations with which there is a collective bargaining agreement. Also, non construction contractors or subcontractors with 50 or more employees and a contract of \$50,000 or more [otherwise required by 41 CFR 60-2.1 (a)] should develop an equal opportunity policy as part of an affirmative action plan and post the policy on company bulletin boards. 41 CFR 60-2.2 1 (a)(9).
<u>FEDERAL MINIMUM WAGE</u> Employment Standards	Every private, federal, state and local government employer	No citations or penalties for failure	Any employer of employees to whom sec. 7 of the Fair

<p>Administration, Wage and Hour Division (Fair Labor Standards Act). 29 CFR 5.16.4 (Applicable to employers with employees in American Samoa). 29 CFR 697.2</p> <p>En Español</p>	<p>employing any employee subject to the Fair Labor Standards Act, 29 USC 211, 29 CFR 5.16.4.</p>	<p>to post.</p>	<p>Labor Standards Act does not apply may alter or modify the poster legibly to show that the overtime provisions do not apply.</p>
<p>NOTICE TO WORKERS WITH DISABILITIES PAID AT SPECIAL MINIMUM WAGES Employment Standards Administration, Wage and Hour Division. 29 CFR 525.14</p> <p>En Español</p>	<p>Every employer having workers employed under special minimum wage certificates authorized by section 14(c) of the Fair Labor Standards Act.</p>	<p>No citations or penalties for failure to post.</p>	<p>Where a employer finds it inappropriate to post such a notice, the employee may provide the poster directly to all employees subject to its terms.</p>
<p>YOUR RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT Employment Standards Administration, Wage and Hour Division. 29 CFR 825.300, .402</p> <p>En Español</p>	<p>Public agencies (including state, local, and federal employers), public and private elementary and secondary schools, as well as private sector employers who employ 50 or more employees in 20 or more work weeks and who are engaged in commerce or in any industry or activity affecting commerce, including joint employers and successors of covered employers.</p>	<p>Willful refusal to post may result in a civil money penalty by the Wage and Hour Division not to exceed \$100 for each separate offense.</p>	<p>Where an employer's workforce is not proficient in English, the employer must provide the notice in the language the employee speaks. The poster must be posted prominently where it can be readily seen by employees and applicants for employment.</p>
<p>Uniformed Services Employment and Reemployment Rights Act (Notice for use by private and state employers)</p> <p>Veterans' Employment and Training Service 38 U.S.C. 4334, 20 CFR 1002.</p>	<p>The full text of the notice must be provided by each employer to persons entitled to rights and benefits under USERRA.</p>	<p>No citations or penalties for failure to notify. An individual could ask USDOL to investigate and seek compliance, or file a private enforcement action to require the employer to provide the notice to employees.</p>	<p>Employers may provide the notice by posting it where employee notices are customarily placed. However, employers are free to provide the notice in other ways that will minimize costs while ensuring that the full text of the notice is provided (e.g., by handing or mailing out the notice, or distributing the notice via electronic mail).</p>
<p>NOTICE TO ALL EMPLOYEES WORKING ON FEDERAL OR FEDERALLY FINANCED CONSTRUCTION PROJECTS (Davis-Bacon Act) Employment Standards Administration, Wage and Hour Division. 29 CFR 5.5(a)(l)</p>	<p>Any contractor/subcontractor engaged in contracts in excess of \$2,000 for the actual construction, alteration/repair of a public building or public work or building or work financed in whole or in part from federal funds, federal guarantee, or federal pledge which is subject to the labor standards provisions of any of the acts listed in 29 CFR 5.1.</p>	<p>No citations or penalties for failure to post.</p>	<p>The contractor or subcontractor is required to insert in any subcontract the poster requirements contained in 29 CFR 5.5(a)(l). The poster must be posted at the site of work, in a prominent and accessible place where it can easily be seen by workers.</p>
<p>NOTICE TO EMPLOYEES WORKING ON GOVERNMENT CONTRACTS (Service Contracts Act) Employment Standards Administration, Wage and Hour Division. 29 CFR 4.6(e), .184</p>	<p>Every contractor or subcontractor engaged in a contract with the United States or the District of Columbia in excess of \$2,500 the principal purpose of which is to furnish services in the U.S. through the use of service employees.</p>	<p>No citations or penalties for failure to post.</p>	<p>Contractors and any subcontractors engaged in federal service contracts exceeding \$2,500 shall notify each service employee or post the minimum monetary wage and any fringe benefits</p>

En Español			required to be paid pursuant to the contract.
NOTICE: EMPLOYEE POLYGRAPH PROTECTION ACT Employment Standards Administration, Wage and Hour Division. 29 CFR 801.6 En Español	Any employer engaged in or affecting commerce or in the production of goods for commerce. Does not apply to federal, state and local governments, or to circumstances covered by the national defense and security exemption.	The Secretary of Labor can bring court actions and assess civil penalties for failing to post.	The Act extends to all employees of covered employers regardless of their penalties for failing to post. citizenship status, and foreign corporations operating in the United States. The poster must be displayed where it can be readily observed by employees and applicants for employment.
NOTICE MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT Employment Standards Administration, Wage and Hour Division. 29 CFR 500.75, .76 In English/En Español In English/An Ereyôl	Agricultural employers, agricultural associations and farm labor contractors.	A civil money penalty may be assessed.	In a joint employment situation, each employer is equally responsible for displaying and maintaining the poster. Each employer covered by the Act who provides housing to migrant agricultural workers shall post in a conspicuous place, throughout the occupancy period, information on the terms and conditions of occupancy of such housing.

Posters of Special Interest to Federal Contractors

The Davis-Bacon Act (Government construction)	Uniformed Services Employment and Reemployment Rights Act (Notice for use by federal agency employers)
Beck Poster: Notice of Employee Rights Concerning Payment of Union Dues — E. O. 13201	Equal Employment Opportunity En Español
The Service Contract Act (SCA)	Beck Poster: Notice of Employee Rights Concerning Payment of Union Dues for Contractors Subject to the Railway Labor Act — E. O. 13201

Retrieved January 2007 from U.S. Department of Labor Website:
<http://www.dol.gov/osbp/sbrefa/poster/matrix.htm>

Federal and Pennsylvania Unemployment Compensation

The Federal Unemployment Tax Act Reg. 31-3306(c)(10)-3 provides for unemployment tax exemption of students engaged in work-study programs.

The term "employment" shall not include . . . service performed by an individual under the age of 22 who is enrolled at a non-profit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program, taken for credit at such institutions, which combined academic instruction with work experience, if such service is an integral part of such program, and such institution has so certified to the employer, except that this subparagraph shall not apply to service performed in a program established for or on behalf of an employer or group of employers.

The PA Unemployment Compensation Law in its entirety is available on the Commonwealth of Pennsylvania Department of Labor and Industry home page at www.dli.state.pa.us. Click on "Laws and Regulations" and scroll to "Unemployment Compensation." Click on "Law" and click on "PA UC Law."

Retrieved March 13, 2007, from <http://www.dli.state.pa.us>

Evaluation of Cooperative Education

The purpose of any evaluation is to be practical and effective in determining how to improve the quality of a program and/or services. Evaluation provides information to decision makers on how to examine a program to determine how and where to make program improvements. This involves defining the program and establishing quality indicators.

Cooperative education contributes to human resources development in many ways. The following are a few key points:

- Cooperative education provides each student with an experiential learning experience to achieve success.
- Cooperative education is an effective learning strategy at the secondary and postsecondary level.
- Cooperative education is open to all individuals.
- Cooperative education establishes business, industry, labor and education partnerships and contributes to economic development.

What is Cooperative Education?

The term “cooperative education” means a method of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required rigorous and challenging academic courses and related career and technical education instruction, by alternation of study in school with a job in any occupational field. Alternation:

- A. shall be planned and supervised by the school and employer so that each contributes to the education and employability of the individual; and
- B. may include an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks or other periods of time in fulfilling the cooperative program.

(PA Department of Education, Bureau of Career and Technical Education, Perkins Local Plan Guidelines, 2007-2008)

What Elements Determine a Cooperative Education Program Based on the Definition?

1. **Alternate or parallel periods of instruction in school and supervised public or private employment are required.** Periods of work and classroom activities may be made up of alternate half days, full days, weeks or other time segments. The average minimum number of hours is usually between 15 and 20 hours per week. This facilitates compliance with federal and state law as affecting the employment of minors.
2. **A written agreement among the school, the employer, the student and where appropriate, the parent/guardian is required.** This written agreement, commonly known as the training agreement, is school initiated and outlines the

responsibilities of the educational agencies, employers and students to the program. It is Pennsylvania's position that the parent/guardian be included as a key component of the partnership for high school students.

3. **Instruction (including required academic instruction) must be related to the job and to the students' academic study or career goals.** Vocational cooperative education programs normally have time requirements for related career and technical instruction by program area, as dictated by the state guidelines. (See Title 22 Section §339.22 Program Content) This required related instruction can range from a minimum of one hour up to three hours per day. At the secondary level, in-school courses are specifically designed to develop students' attitudes, knowledge and employability skills and are generally designed to be taken concurrently with employment.
4. **The alternation of study and work must be planned and supervised to further the students' education and employability.** Cooperative education coordinators are responsible for planning and conducting related academic and career and technical instruction designed to meet the students' on-the-job needs. The training sponsors have the responsibility of providing a variety of well-planned tasks to assist students in becoming competent employees. Competent supervision by both parties ensures that experience, in a systematic progression of job-related skills, is correlated with classroom instruction.
5. **Students must be employed and compensated in compliance with federal, state and local laws.** Such compliance ensures that students are not exploited for private gain.

In keeping with the aforementioned elements, cooperative education should be reviewed in a comprehensive manner. The following areas should be reviewed with equal importance to ensure a solid program foundation.

What Areas Ensure a Solid Program Foundation?

Program Development and Operation

Goal: The cooperative education program is planned to meet student and community needs through clear, attainable objectives, which fit the overall education program of the school and are evaluated systematically.

Quality indicators:

1. Written statements containing the purposes, goals and objectives of the cooperative education program are on file with the administration and are consistent with the school philosophy.
2. All students enrolled in the program have an occupational goal or objective on file.
3. Provisions are made to accommodate all students in the cooperative education program.

4. A job description of the cooperative education teacher-coordinator is maintained and updated annually.
5. The cooperative education teacher-coordinator works with school guidance personnel in assessment and enrollment of prospective cooperative education students.
6. Program planning reflects requirements for emphasis on mathematics, communications, science, social science and career and technical education as core curriculum subjects.

Local Advisory Committee

Goal: The local advisory committee provides effective communication between the school and the community, is responsible for suggesting curriculum changes and assists in program evaluation.

Quality indicators:

1. There is a cooperative education student and a parent/guardian representative on the school's advisory committee.
2. The cooperative education teacher-coordinator attends the meetings of the advisory committee and is familiar with the recommendations made.

Facilities and Equipment

Goal: The facilities are current and of sufficient size and quality to effectively meet the instructional needs of students in cooperative education.

Quality indicators:

1. A classroom, storage facilities and access to an office with telephone and computer are available to the cooperative education teacher-coordinator.

Program Administration

Goal: The cooperative education program functions with an adequate budget for salary, travel, equipment and supplies.

Quality indicators:

1. The cooperative education program is an integral part of the strategic plan for career and technical education and considered an equal, but separate program.
2. An approved budget for the current fiscal year is on file and available to the cooperative education teacher-coordinator for operational purposes of the cooperative education program.
3. The cooperative education teacher-coordinator uses a plan or checklist to assure each student is kept informed as to achievement of necessary skills and knowledge (competencies).

4. An ongoing review of instructional materials is conducted to ensure freedom from discrimination.

Instructional Staff

Goal: A certified cooperative education teacher-coordinator is responsible for conducting a quality cooperative education program, as well as maintaining effective school and community relations.

Quality indicators:

1. The cooperative education teacher-coordinator is properly certified and possesses the personal, technical, professional and occupational competencies necessary to prepare students for entry-level employment or for advanced educational program(s).
2. The cooperative education teacher-coordinator participates in continuing in-service professional and technical development programs designed for his/her benefit.
3. Professional competency is maintained, but not limited to, involvement in organizations such as:
 - Pennsylvania Cooperative Education Association (PCEA)
 - Association for Career and Technical Education (ACTE)

Curriculum and Instruction

Goal: The content of all instruction is organized around the skill development needed by students and includes an overview of occupational opportunities.

Quality indicators:

1. The cooperative education curriculum is based on analysis of the skills, attitudes and knowledge required to meet the occupational objectives of the students.
2. Written plans that clearly state instructional objectives, activities and resources to be utilized during instruction are developed.
3. A variety of instructional methods are used (i.e., multi-media materials, contextual strategies, field trips, speakers, etc.).
4. Students are provided with individualized projects or units of study relating to their career objectives.
5. Student leadership development activities are incorporated into the overall course of study.
6. Communications, mathematics, science and social science are integrated into the related class for continuing emphasis on developing essential competencies.
7. Students are apprised of the importance of productivity, the free enterprise system and basic employability skills as they pursue occupational preparation opportunities.

Student Follow-Up and Placement

Goal: Comprehensive evaluation of the cooperative education program is conducted which includes follow-up of students to determine successful placement, employers' opinions concerning program adequacy and student opinion of program effectiveness.

Quality indicators:

1. Employer opinion surveys are conducted annually concerning the relevancy of the cooperative education program.
2. The findings of evaluation, follow-up and surveys are available and utilized by the cooperative education teacher-coordinator, administration and advisory committee in updating and improving the program.

Cooperative Education Components

Goal: Cooperative education involves responsibility and experience in application of skills relevant to the student's career objective.

Quality indicators:

1. The parent/guardians, students, employer and school have a signed, written training agreement and training plan, as required.
2. A training plan has been developed for each individual student and is relevant and specific to the student's occupational objectives. The student, employer and cooperative education teacher-coordinator use the plan to measure the progress and sequence of the learning experiences of the student.
3. Regularly scheduled worksite visits are conducted, and are of sufficient number, so that the cooperative education teacher-coordinator can assist with training or occupational programs.
4. The cooperative education teacher-coordinator maintains records of each student's agreement, training plan, employer rating sheets, wage and hour records and information obtained from worksite visits.
5. The related classroom instruction is taught by the cooperative education teacher-coordinator and is designed to fit the student's career objective and/or individual job needs.
6. An established district/institution policy exists for granting recognition/credit for occupational experiences and related class instruction separately.
7. The employer and cooperative education teacher-coordinator are cooperatively involved in evaluating student progress.
8. An evaluation instrument is used to measure student performance on the job at the training site.
9. There is an organized system for developing and approving training sites.
10. Students are provided release time during the normal school day.
11. Students are employed for a wage that is comparable to that paid other part-time employees for similar work and are not displacing other workers who could do such work.

12. Travel expenses are provided for the cooperative education teacher-coordinator duties and other program-sponsored activities.
13. The appropriate state and federal labor laws are followed and reviewed by the cooperative education teacher-coordinator.

Sample
Cooperative Education Summary Sheet

This page is to be completed by school staff as part of the evaluation process.

Area	Strengths	Recommendations	Plans for Improvement
Program Development and Operation			
Local Advisory Committee			
Facilities and Equipment			
Program Administration			

Sample
Cooperative Education Summary Sheet (Continued)

Area	Strengths	Recommendations	Plans for Improvement
Instructional Staff			
Curriculum and Instruction			
Student Follow-Up and Placement			
Cooperative Education Components			

Opportunities for Work-Based Learning

A number of opportunities exist for all students to gain work-based learning experiences. These opportunities may or may not be supervised and/or coordinated with the student's course of academic and career and technical education studies. The types of work-based learning opportunities include:

- Paid, unsupervised jobs (work release, work study).
- Paid, supervised jobs with supervision by a school and/or other training agency (cooperative education, internships, registered apprenticeships).
- Unpaid work in family enterprises.
- Paid jobs (i.e., Workforce Investment Youth Councils).
- Unpaid job, related classroom activities, supervised by a school (i.e., job shadowing, Junior Achievement, school-based enterprises).
- Simulations, not producing goods or services (i.e., school-based laboratories).
- Unpaid experience in real work settings with supervision by a school and/or other agency (i.e., community service, internships, service learning).

The following activities may be available at the postsecondary level to support school/work site programs:

- Cooperative Education
- New Choices/New Options
- On-the-Job Training
- Registered Apprenticeship Training
- Student Organizations
- Work Study

Types of Work-Based Programs and Activities

Program or Activity	School-Based Elements	Work-Based Elements	Connecting Activities and Coordination
Clinical Experiences	Specific occupational area School training in specific field Develop technical competencies School credit	Practical experience – short term Supervised work-based learning Broad overview of an occupational field	Teachers supervise and work with employers to give students added development of technical competencies in a work setting Teachers, students and employers meet to evaluate the work experience and performance
Cooperative Education	Technical skills in a specific career area Integrated career and technical and academic studies Employability skills School credit	Hands-on experience at a worksite Work related to school training Paid work experience Evaluation by a supervisor	Training plan and agreement between school, student, parent/guardian and employer Supervised visits by school Cooperative Education Coordinator Students matched by ability with the job experience Students receive grades and wages
Community Service	No specific preparation	Volunteer services, usually in nonprofit organizations	Coordination with community organizations to provide situation whereby students can learn work skills, take responsibility and contribute to the community
Internships	Specific occupational area School training in a specific field Develop technical competencies School credit	Practical experience—short term Supervised work-based learning Broad overview of an occupational field	Teachers supervise and work with employers to give students added development of technical competencies in a work setting Teachers, students and employers meet to evaluate the work experience and performance
Job Shadowing	Career awareness No specific preparation	Exposure to work environment Student paired with adult for experience	Structured visits to worksites to acculturate students to the world of work
Junior Achievement	Specific career focus Related academics Technical skills	Exposure to work environment Situational learning	Teachers, students and volunteers meet to provide experience Structured visits to worksites

Program or Activity	School-Based Elements	Work-Based Elements	Connecting Activities and Coordination
Registered Apprenticeships	Technical skills in a specific area Integrated academic and technical coursework School credit	Hands-on experience at work site Work related to school training Written training plan Paid work experience Evaluation by supervisor	
School-Based Enterprises	Specific career focus Related academics Technical skills	Situational learning	All aspects of the industry
Service Learning	Community service Academics Technical skills Experiential learning	Supervised work related experience	Teachers work with community organization representatives to give students added development of technical competencies in a community setting
Tech Prep Work-Based	Specific career field High academic studies Industry-driven advanced skill training	Cluster approach in career field Wide range of career options Direct involvement and consultation with business and industry	Sequenced educational course requirements leading to higher education High schools and colleges coordinate curriculum
Work Release	No career objective or credit	Paid employment	No school/work connection Student finds employment

Definitions and Terms

All Aspects of the Industry – with respect to a particular industry that a student is preparing to enter, the student needs to have strong experience in and understanding of planning, management, finances, technical and production skills, underlying principles of technology, labor and community issues, health and safety and environmental issues related to that industry.

Apprentice – a person at least 16 years of age who is engaged in learning a recognized skilled trade through actual work experience under the supervision of journey/craft person. The training should be combined with properly coordinated studies of related technical and academic subjects.

Apprenticeship Training Program – a program registered with the Department of Labor or the State apprenticeship agency in accordance with the Act of August 16, 1937, known as the National Apprenticeship Act (29 U.S.C. §50), that is conducted or sponsored by an employer, group of employers or a joint apprenticeship committee representing both employers and a union, and that contains all terms and conditions for the qualification, recruitment, selection, employment and training of apprentices.

Cooperative Education – The term “cooperative education” means a method of education for individuals who, through written cooperative arrangements between a school and employers, receive instruction, including required rigorous and challenging academic courses and related career and technical education instruction, by alternation of study in school with a job in any occupational field, which alternation

- A. shall be planned and supervised by the school and employer so that each contributes to the education and employability of the individual and
- B. may include an arrangement in which work periods and school attendance may be on alternate half days, full days, weeks or other periods of time in fulfilling the cooperative program.

(PA Department of Education, Bureau of Career and Technical Education, Perkins Local Plan Guidelines, 2007-2008)

Cooperative Education Teacher-Coordinator – a certified professional member of the instructional staff responsible for administering the cooperative education program and resolving all problems that arise between the school and the on-the-job activities of the employed student. The teacher-coordinator acts as a liaison between the school and employers for cooperative education programs or other work-based learning experiences.

Diversified Occupations Program – a career and technical high school program of study in which students are given supervised work experience in any one of a variety of occupations combined with related classroom instruction. This type of program of study is suited especially to communities where the need for workers is too limited to justify separate courses for each occupation. This program of study is under the direction of the cooperative education teacher-coordinator.

Contacts and Sources of Information

Association for Career and Technical Education

1410 King Street

Alexandria, VA 22314

(703) 683-3111

(800) 826-9972

<http://www.acteonline.org>

Pennsylvania Department of Education

Mary Beth Hassan

Bureau of Career and Technical Education

Division of Program Standards and Quality Assurances

333 Market Street, 11th Floor

Harrisburg, PA 17126-0333

(717) 772-4870

mhassan@state.pa.us

<http://www.pde.state.pa.us>

Pennsylvania Department of Labor and Industry

Labor Law Compliance

L & I Building

7th and Forster Streets

Harrisburg, PA 17121

(717) 787-5279

(877) 803-8560

<http://www.dli.state.pa.us>

Team Pennsylvania CareerLink

Bureau of Employer and Career Services

7th and Forster Streets

Harrisburg, PA 17120

(717) 787-9874

<http://www.pacareerlink.state.pa.us>

U.S. Department of Labor

Judith Rich

Bureau of Apprenticeship and Training

P.O. Box 1042

Harrisburg, PA 17108

(717) 221-4576

rich.judith@dol.gov

U.S. Department of Labor, Wage and Hour Division

Pennsylvania Offices

Philadelphia District Office

Stewart Bostic
District Director
US Dept. of Labor
ESA Wage & Hour Division
US Custom House, Room 400
Second & Chestnut Streets
Philadelphia, PA 19106
(215) 597-4950

Pittsburgh District Office

John DuMont
District Director
US Dept. of Labor
ESA Wage & Hour Division
Federal Building
1000 Liberty Ave., Room 416
Pittsburgh, PA 15222
(412) 395-4996

Wilkes-Barre District Office

Joseph Dietrick
District Director
US Dept. of Labor
ESA Wage & Hour Division
7 North Wilkes-Barre Blvd.
Stegmaier Bldg. Suite 373M
Wilkes-Barre, PA 18702-5284
(570) 826-6316

Pennsylvania Department of Labor and Industry Bureau of Labor Law Compliance

District Offices

Greater Philadelphia Regional Services

Bureau of Labor Law Compliance

1400 Spring Garden St., Room 1103

Philadelphia, PA 19130-4064

(215) 560-1858

Counties Served: Bucks, Chester, Delaware, Montgomery, Philadelphia

Lehigh Valley Regional Services

Bureau of Labor Law Compliance

100 Lackawanna Ave., Room 201-B

Scranton, PA 18503

(570) 963-4577

(877) 214-3962

Counties Served: Lehigh, Northampton

Northeast Pennsylvania Regional Services

Bureau of Labor Law Compliance

100 Lackawanna Ave., Room 201-B

Scranton, PA 18503

(570) 963-4577

(877) 214-3962

Counties Served: Bradford, Carbon, Columbia, Lackawanna, Luzerne, Lycoming, Monroe, Montour, Pike, Sullivan, Susquehanna, Tioga, Wayne, Wyoming

Susquehanna Regional Services

Bureau of Labor Law Compliance

1301 Labor and Industry Building

7th and Forster Streets

Harrisburg, PA 17120

(717) 787-2026

Counties Served: Adams, Berks, Cumberland, Dauphin, Franklin, Juniata, Lancaster, Lebanon, Mifflin, Northumberland, Perry, Schuylkill, Snyder, Union, York

Central Pennsylvania Regional Services

Bureau of Labor Law Compliance
1301 Labor and Industry Building
7th and Forster Streets
Harrisburg, PA 17120
(717) 787-2026

Bureau of Labor Law Compliance

300 Liberty Ave, Room 1201
Pittsburgh, PA 15222
(412) 565-5300
(877) 504-8354

Counties Served: Bedford, Blair, Cambria, Cameron, Centre, Clearfield, Clinton, Elk, Fulton, Huntingdon, Indiana, Jefferson, Potter, Somerset

Northwest Pennsylvania Regional Services

Bureau of Labor Law Compliance
300 Liberty Ave, Room 1201
Pittsburgh, PA 15222
(412) 565-5300
(877) 504-8354

Counties Served: Clarion, Crawford, Erie, Forest, McKean, Mercer, Venango, Warren

Greater Pittsburgh Regional Services

Bureau of Labor Law Compliance
300 Liberty Ave, Room 1201
Pittsburgh, PA 15222
(412) 565-5300
(877) 504-8354

Counties Served: Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington, Westmoreland

Critical Issues in Career and Technical Education Cooperative Education

1. What programs require a certified program coordinator?

All Pennsylvania Department of Education approved career and technical education programs, which include cooperative education as an integral part of the curriculum, require cooperative education professional certification.

For further clarification of certification, contact the Pennsylvania Department of Education, Bureau of Teacher Certification and Preparation at (717) 783-6730. See specifically, "Cooperative Education Certification and Assignment Scope: CSPG #37 (July 2004).

2. Do supervisors have to be certified?

Yes, if they are engaged in public school supervision. However, the term supervisor may be misleading. If, in this case, the job description requires the instruction and on-the-job supervision of cooperative education students, the required area of certification is that of Cooperative Education Teacher-Coordinator and not Supervisor.

3. If high schools have instituted block scheduling, what ramifications will these strategies have for cooperative education and other school/worksite partnerships?

Any form of block scheduling should be a plus in the overall scheduling process because it could provide flexibility and additional time in a student's daily or weekly schedule. Examples are combining several class periods for concentrated instruction or offering off-campus experiential learning and/or on-the-job training.

4. Is there a student and cooperative education teacher-coordinator ratio regulated by the state? Is there a maximum number of students?

No. The state does not regulate a ratio. Rather, it assumes the local school district administrators will use good judgment in the number of students assigned to a cooperative education teacher-coordinator because of the amount of time required to instruct, place and complete regular on-site follow-up visits to improve students' performance on the job. Refer to "Time Needed to Deliver a Cooperative Education Program" in Section One of these guidelines.

5. What are the legal ramifications per the Pennsylvania Department of Labor and Industry for putting students into unpaid worksite experiences, such as job shadowing, internships, volunteering, etc.?

The legal ramifications for unpaid learning experiences per Labor and Industry regulations fall under the Fair Labor Standards Act (Wages-Hour Law) and Child Labor Law. It is imperative that you apply the six criteria for trainees or students who are not considered employees. Refer to “Employment Relationships” found in Section Two of these guidelines. It would be advisable to have the school solicitor assist in the preparation of a comprehensive school policy regarding potential liability in case of an accident or injury to a student participating in an unpaid worksite experience.

6. Should there be minimal safety training before a placement?

Yes, proper student instruction in safety and accident prevention is a shared responsibility of the cooperative education teacher-coordinator and career and technical education teacher and must be provided prior to, as well as during, the student’s on-the-job experience.

Safety instruction should include the area(s) of the Pennsylvania Worker and Community Right to Know Act, the Worker’s Compensation Act and any specific job-related safety practices, including “all aspects of the industry.”

Student learners should receive related classroom instruction in the Pennsylvania Worker and Community Right to Know Act, the Workers’ Compensation Act, as well as specific job safety to include all aspects of the industry. For more information, refer to Section Two of these guidelines.

Particular attention should be given to Prohibited Occupations for Minors and the basis for which exemptions are granted (see Section Two). The terms student learner, apprentice and laboratory student aide are key to determining eligibility for an exemption. Note: Students must be enrolled in, or have graduated from, an approved career and technical education curriculum that prepares them for employment in the specific occupation.

7. Who is liable for job shadowing and internships?

The local school district/career and technical school, professionally involved school personnel (such as teachers, counselors, administrators and the cooperative education teacher-coordinator), parent/guardian, student and training site all share in this responsibility. The primary area of concern usually arises from tort liability and negligence. Thus, it is important to establish local school board policy for all concerned parties. Additional information is found in Section Two of these guidelines.

Although there are no state professional certification requirements for the category of job shadowing or internships, it is highly recommended that persons working with students in these areas be professionally prepared. Also, any form of student job shadowing or internship should be addressed and adopted as part of the school/career and technical center strategic plan.

8. Is liability insurance needed for field and clinical experiences (not job shadowing or nonpaid). What are the hourly requirements for internships?

It is strongly advisable that school/career and technical centers carry liability insurance wherever students will be dealing with the consumer. In most health clinical areas, institutions usually require proof of liability insurance as part of the contract to allow students into the facility for a hands-on experience. Insurance should cover the teacher and the student in the clinical area.

Hourly requirements should be built on predetermined exit outcomes and learning objectives. In some instances, regulations stipulate student time in clinical or field experience. For example, the Certified Nurse Aide program has a clinical minimum of 37.5 hours.

9. In health and food service programs, who pays for immunization shots (Hepatitis B)?

Occupational Safety and Health (OSHA) regulations stipulate that the employer is responsible for employee immunizations and universal precautions education. The employer does an assessment and designates the employees in the high-risk category. Those individuals receive a series of immunizations for hepatitis upon employment. The employer is responsible only for those immunizations during actual employment. In all secondary program areas of health, it is advisable to have a school board-approved health policy in place to protect the student and the school district.

10. Must child labor laws be followed?

State and federal child labor laws were designed to protect the student learner and the employer. The employer and cooperative education teacher-coordinator must adhere to the laws. Precautions must be taken when placing students in hazardous occupations. Exemptions only apply when all six student-learner criteria are in place. Refer to the Fair Labor Standards Act for clarification: http://www.osha.gov/pls/epub/wageindex.download?p_file=F11973/WH1297.pdf.

11. Can students legally work without pay?

Yes, but under strict conditions and criteria regarding the training that will take place. In this question, the term work might be misunderstood. The Fair Labor

Standards Act is very specific in terms of whether trainees or students are considered employees. Refer to Employment Relationships in Section Two of these guidelines. You must apply the six criteria to each student-learner in each training situation. This depends upon all of the circumstances surrounding their activities on the work site.

12. How do you determine paid versus nonpaid programs?

Refer to Employment Relationships section of the guidelines. All six criteria must be met to ensure that student-learners are not considered employees. Paid versus nonpaid trainee or student learning experiences are addressed in the Fair Labor Standards Act.

13. How are the Child Labor Laws addressing job shadowing and nonpaid experiences?

This is addressed under the Fair Labor Standards Act. Refer to Employment Relationships in Section Two of these guidelines. Student-learners are not considered employees when all six criteria are met.

14. Under Child Labor Laws, what employment certificates must students apply for prior to employment?

Sections 8 and 11 of the Child Labor Law refer to employment certificates.

15. Can a 17-year old student learner on cooperative education work an eight-hour day?

Yes, for cooperative education student-learners ages 16 and 17, hours of employment during the school term are a maximum of 28 hours per school week (Monday through Friday), if enrolled in a regular school day. They can work eight additional hours on Saturday and/or eight additional hours on Sunday. However, the maximum daily hours cannot exceed eight hours per day or a total of 44 hours per week.

16. Is the 28- or 44-hour exception rule for cooperative education students still in force?

Yes, for cooperative education students ages 16 and 17. For clarification of the hours children under the age of 18 are permitted to work, see the abstract of the Pennsylvania Child Labor Law.

17. Are there standard guidelines for workers' compensation with a small employer?

Yes, there are guidelines. To obtain copies of the guidelines and other information, contact the Department of Labor and Industry, through the Bureau of Workers' Compensation.

18. How can special populations students be accommodated and placed on cooperative education? Who is responsible for making accommodations?

If a school is offering a Pennsylvania Department of Education approved career and technical education program of study in which cooperative education is an integral part, instruction and placement of students are to be done by a certified cooperative education teacher-coordinator who can be a Special Education instructor holding cooperative education certification. Responsibility is shared by all concerned parties: the school district/career and technical school, professionally involved personnel (counselors, teachers, administrators, and the cooperative education teacher-coordinator), parent/guardian, student and the employer, as it is for all regular cooperative education students. See CSPG #37 and CSPG #61 (Pennsylvania Department of Education, Bureau of Teacher Preparation and Certification).

19. Identify the requirements needed to fulfill cooperative education programs for special populations students.

The requirements are basically the same as they are for all students, except as described in Sections One and Two of these guidelines.

20. What requirements can be established so that career and technical schools and high schools are not duplicating services or programs?

Chapter 339 provides for Diversified Occupations. The program should not compete with existing vocational programs offered at the comprehensive high school or participating area vocational-technical school.

21. How are cooperative education teacher-coordinators in individual districts sharing job leads in communities they share?

Some cooperative education teacher-coordinators who share a given business community have developed their own collaborative, cooperative arrangements and job bank. The key is to communicate and exchange job leads with one another, as well as maintain close contact with the local CareerLink office, in order to provide the best services possible to prospective students and employers.

22. In spite of diversified occupations and career and technical education programs, students are not participating in cooperative education. How can we reach the students that can benefit from this program/instructional method?

School administrators and cooperative education teacher-coordinators in particular, must take a proactive role and seize every opportunity to explain the program and program benefits. Contact home schools, community and civic organizations and offer to make presentations to describe and promote the program to prospective students, school board members, parent/guardians and employers. Develop a program brochure and/or newsletter with pictures of students in training. Invite the media to cover all noteworthy events pertaining to cooperative education. Developing a public relations plan is one of the keys to success.

The development of career exploration activities, such as job shadowing, at an early level could help create interest and stepping-stones. Cooperative Education should be addressed in the high school/career and technical school strategic plan.

23. How do you determine if students are replacing a worker in a nonpaid experience?

The cooperative education teacher-coordinator must be knowledgeable in the law and regulations, and then become familiar with the training station and the expectations of the employer. He or she must make regular on-site visits to monitor the student learner. The cooperative education teacher-coordinator must be satisfied that the trainee is not in violation of the six criteria identified in the Fair Labor Standards Act. Misunderstanding by the student learner and employer can best be avoided by use of a formal training plan and agreement.

24. Can students work during the summer if the cooperative education teacher-coordinator is not employed?

Depending on their age and working conditions, students might be able to work but not under the guise of cooperative education. Cooperative education provides the legal connecting link between the school and the employer. Students must be continually instructed and monitored on the job by the cooperative education teacher-coordinator to be considered exempt from a prohibited occupation and to receive school credit for this planned, off-campus educational experience. Otherwise, the student is on his/her own for summer employment and subject to a whole new set of employment rules, especially if under age 18. For further clarification, contact the Pennsylvania Department of Labor and Industry, Bureau of Labor Standards.

25. Can we use criteria such as grades and attendance to remove or place students on cooperative education?

This is a local school/school district decision. It is important to develop a local board approved policy and to make certain the policy is applicable in a nondiscriminatory manner to all students.

26. How do schools transport students for shadowing, including those in Tech Prep?

This varies from school to school. In most instances, there is school board policy making the student and parent/guardian responsible for transportation. There are, however, situations where the school district provides the transportation, such as busing an entire class of students to an off-campus learning site, or providing transportation for special needs students. The district is advised to develop a board-approved policy for student transportation to an off-campus learning site.